

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-01732-RWS-GWG

E.E.O.C. v. Le Bar Bat, Inc., et al
Assigned to: Judge Robert W. Sweet
Referred to: Magistrate Judge Gabriel W. Gorenstein
Demand: \$0
Related Case: [1:99-cv-02451-RWS-RLE](#)
Cause: 28:451 Employment Discrimination

Date Filed: 03/09/1999
Date Terminated: 05/23/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Elizabeth A. Grossman**
Equal Employment Opportunity
Commission
New York District Office
7 World Trade Center
18th Floor
New York, NY 10048-1102
(212) 748-8509
Email: elizabeth.grossman@eeoc.gov
LEAD ATTORNEY

Sunu P. Chandy
U.S. Equal Employment Opportunity
Comm., N.Y. District Off.,
33 Whitehall Street
5th Floor
New York, NY 10004-2112
(212) 336-2112
Email: sunu.chandy@eeoc.gov
LEAD ATTORNEY

V.

Defendant

Le Bar Bat, Inc.
TERMINATED: 11/01/2001

represented by **Daniel S. Greenfeld**
Jenkins, Hillcrest, Parker and Chapin, LLP
405 Lexington Avenue
New York, NY 10174
(212) 704-6000
TERMINATED: 11/01/2001
LEAD ATTORNEY

Defendant

Die Fliedermaus L.L.C.
TERMINATED: 11/08/2001

represented by **Annamarie P. Venuti**
565 Plandome Road, Suite 336
Manhasset, NY 10030
TERMINATED: 11/08/2001
LEAD ATTORNEY

Richard Alan Wilsker
McGuireWoods LLP
1345 Avenue of the Americas
7th Floor
New York, NY 10105
212 548 7027
Fax: 212 715 2311
Email: rwilsker@mcguirewoods.com
TERMINATED: 02/02/2001
LEAD ATTORNEY

Defendant

Laurent M. Cerrone

represented by **Laurent M. Cerrone**
160 East 48th St
Apt. #5
New York, NY 10017
(212) 838-1410
PRO SE

Movant

Angela Boggs

represented by **Elizabeth A. Mason**
Werbel McMillin & Carnelutti
LEAD ATTORNEY

Movant

Kimberly Hawkes

represented by **Elizabeth A. Mason**
(See above for address)
LEAD ATTORNEY

Movant

Sherece Holman

represented by **Elizabeth A. Mason**
(See above for address)
LEAD ATTORNEY

Movant

Staci Pollard

represented by **Elizabeth A. Mason**
(See above for address)
LEAD ATTORNEY

Movant

Rhonda Roenfeldt

represented by **Elizabeth A. Mason**
(See above for address)
LEAD ATTORNEY

Movant**Madilyn Wade**

represented by **Elizabeth A. Mason**
 (See above for address)
LEAD ATTORNEY

Date Filed	#	Docket Text
03/09/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ USA (bm) (Entered: 03/11/1999)
03/09/1999		Magistrate Judge Ellis is so Designated. (bm) (Entered: 03/11/1999)
05/12/1999	2	NOTICE OF MOTION by Die Fliedermaus dismissing the complaint ; staying the proceeding pending mandatory conciliation bye EEOC Return date not indicated (cd) (Entered: 05/13/1999)
05/12/1999	3	MEMORANDUM by Die Fliedermaus in support of [2-1] motion dismissing the complaint, [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC (cd) (Entered: 05/13/1999)
06/15/1999	4	Filed Memo-Endorsement on letter addressed to Judge Sweet from Joyce E. Levowitz, dated 6/4/99; plttf's response to deft's motion reset to 7/2/99 for [2-1] motion dismissing the complaint, reset to 7/2/99 for [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC ; deft's reply to response to motion reset to 7/23/99 for [2-1] motion dismissing the complaint, reset to 7/23/99 for [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC ; the return date will be adjourned until Wednesday, 8/4/99 for [2-1] motion dismissing the complaint, 8/4/99 for [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC. (signed by Judge Robert W. Sweet); Copies mailed. (sac) (Entered: 06/18/1999)
06/24/1999		Memo endorsed on motion; granting [2-1] motion dismissing the complaint; granting [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC; no opposition; submit order on notice (signed by Judge Robert W. Sweet); Copies mailed. (pl) (Entered: 06/25/1999)
07/06/1999	5	ORDER, the Order of June 23, 1999 is vacated ; Defendant's motion purs to Rule 12(b)(6) to dismiss plaintiff's complaint is now returnable on September 15, 1999. (signed by Judge Robert W. Sweet); Copies mailed. (dj) (Entered: 07/07/1999)
07/27/1999	6	NOTICE OF MOTION by Angela Boggs, Kimberly Hawkes, Sherece Holman, Staci Pollard, Rhonda Roenfeldt, Madilyn Wade for an order pursuant to Rules 24(a) and 42(a) FRCP, granting their motion to permit each of them to intervene in the EEOC action based upon the charges they previously filed with the EEOC , return date 8/11/99 at 12:00 noon (affidavit of Elizabeth A. Mason in support attached) (ri) (Entered: 07/28/1999)
07/27/1999	7	MEMORANDUM of LAW by Angela Boggs, Kimberly Hawkes, Sherece Holman, Staci Pollard, Rhonda Roenfeldt, Madilyn Wade in support of [6-1] motion for an order pursuant to Rules and 42(a) FRCP, granting their motion to

		permit each of to intervene in the EEOC action based upon the charges they previously filed with the EEOC (ri) (Entered: 07/28/1999)
07/30/1999	8	MEMORANDUM by E.E.O.C. in opposition to [2-1] motion dismissing the complaint (cd) (Entered: 08/03/1999)
07/30/1999	9	DECLARATION of Elizabeth Grossman by E.E.O.C. in support Re: [8-1] opposition memorandum . (cd) (Entered: 08/03/1999)
08/16/1999	10	REPLY MEMORANDUM by Die Fliedermaus re: [2-1] motion dismissing the complaint; and statement in response to plttfs' motion to intervene and consolidate. (jp) (Entered: 08/17/1999)
08/23/1999		Memo endorsed on motion, document number 6; motion adjourned by consent to 9/15/99 for [6-1] motion for an order pursuant to Rules 24(a) and 42(a) FRCP, granting their motion to permit each of them to intervene in the EEOC action based upon the charges they previously filed with the EEOC (signed by Judge Robert Sweet); Copies mailed. (jp) (Entered: 08/24/1999)
08/27/1999	11	REPLY MEMORANDUM by Die Fliedermaus re: in support of [2-1] motion dismissing the complaint; [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC (ls) (Entered: 08/30/1999)
08/27/1999	12	AFFIDAVIT of Joyce E. Levowitz by Die Fliedermaus in support Re: [2-1] motion dismissing the complaint, [2-2] motion staying the proceeding pending mandatory conciliation bye EEOC (ls) (Entered: 08/30/1999)
09/13/1999	13	RULE 1.9 CERTIFICATE filed by Le Bar Bat, Inc. (sn) (Entered: 09/14/1999)
09/13/1999	14	ANSWER to Complaint by Le Bar Bat, Inc. (Attorney Daniel S. Greenfeld from the Firm: Parker, Chapin, Flattau & Klimpl, L.L.P.). (sn) (Entered: 09/14/1999)
12/22/1999	15	NOTICE of attorney appearance for E.E.O.C. by Sunu P. Chandy (jp) (Entered: 12/27/1999)
01/07/2000	16	NOTICE of Order of Consolidation by Angela Boggs, Kimberly Hawkes et all on 1/3/00 (cd) (Entered: 01/10/2000)
01/26/2000	18	NOTICE OF ORDER Of Consolidation; that the following actions 99 Civ. 1732 (RWS) and 99 Civ. 2451 (RWS) are consolidated (for all pretrial purposes (as per chmbrs. on 2/7/00)) ; (signed by Judge Robert W. Sweet); copies mailed (ls) (Entered: 02/07/2000)
01/28/2000		ANSWER to Complaint by Matt Tortoso (Attorney Daniel S. Greenfeld from the Firm: Morvillo Abramowitz); (orig. docketed in 99cv2451, doc #45) (cd) (Entered: 01/31/2000)
01/31/2000	17	STIPULATION and ORDER; that the time for defts Colin Walsh and Matt Tortoso (in action #99 cv 2451), to answer the complaint is extended to and including 1/31/00, with service upon the plttf's atty to be by facsimile, and that no further extensions to answer the complaint shall be requested . (signed by Judge Robert W. Sweet) (jp) (Entered: 02/01/2000)
02/02/2000		Pretrial Conference held before Judge Robert W. Sweet . (jp) (Entered: 02/04/2000)

02/15/2000		Terminated documents 2-1; 2-2; 6-1; pursuant to instructions of Judge Sweet. (rag) (Entered: 02/15/2000)
05/22/2000	19	ANSWER to Complaint by Simon Azoulay; (Attorney Joel Spivak from the Firm: The Office of Joel Spivak). (pl) (Entered: 05/23/2000)
05/22/2000	20	ANSWER to Complaint by Die Fliedermaus; (Attorney Richard A. Wilsker from the Firm: Ross & Hardies). (pl) (Entered: 05/23/2000)
05/22/2000	21	ANSWER to Complaint of Boggs, Hawkes, Holman, Pollard, Roenfeldt and Wade by Die Fliedermaus and Gerald J. Shallo's; (Attorney Richard A. Wilsker from the Firm: Ross & Hardies). (pl) (Entered: 05/23/2000)
06/21/2000	22	ORDER, that the parties shall complete all discovery, inspection and motions by 1/17/01; The parties shall submit to the Court trial briefs, a joint proposed pretrial order, and if applicable, proposed jury charges and voir dire requests in accordance with the annexed form and instructions by 1/30/01; A final pretrial conference will be held on 1/30/01 at 4:30 p.m. and the action shall be added to the trial calendar published in the New York Law Journal . (signed by Judge Robert W. Sweet); Copies mailed. (ri) Modified on 06/26/2000 (Entered: 06/22/2000)
01/04/2001	23	NOTICE OF MOTION by Ross & Hardies counsel for defts Die Fliedermaus LLC and Gerald J. Shallo; for an order relieving it and attnys. Richard A. Wilsker, Catherine A. Rogers, and Joyce E. Levowitz, as attnys. of record for defts Die Fliedermaus LLC and Gerald J. Shallo ; and for an order awarding Ros & Hardies the fees and disbursements owed by defts ; Return date not indicated (lf) (Entered: 01/05/2001)
01/04/2001	24	MEMORANDUM OF LAW by Ropss & Hardies' attnys. for deftsDie Fliedermaus LLC and Gerald J. Shallo in support of [23-1] motion for an order relieving it and attnys. Richard A. Wilsker, Catherine A. Rogers, and Joyce E. Levowitz, as attnys. of record for defts Die Fliedermaus LLC and Gerald J. Shallo; [23-2] motion for an order awarding Ros & Hardies the fees and disbursements owed by defts. (lf) (Entered: 01/05/2001)
01/04/2001	25	AFFIDAVIT of Richard A. Wilsker, Esq. by Ross & Hardies attnys. for deftsDie Fliedermaus LLC and Gerald J. Shallo in support of [23-1] motion for an order relieving it and attnys. Richard A. Wilsker, Catherine A. Rogers, and Joyce E. Levowitz, as attnys. of record for defts Die Fliedermaus LLC and Gerald J. Shallo; [23-2] motion for an order awarding Ros & the fees and disbursements owed by defts. (lf) (Entered: 01/05/2001)
01/18/2001	26	STIPULATION and ORDER; regarding procedures that will govern the handling of "Confidential Materials" . (signed by Judge Robert W. Sweet) (pl) (Entered: 01/19/2001)
01/22/2001	27	NOTICE OF MOTION by Hoguet Newman & Regal, LLP; for an order granting Hoguet Newman & Regal, LLP's motion to withdraw as counsel for deft Larry Cerrone ; for an award of the Attny fees and disbursements owed to Hoguet Newman & Regal, LLP ; Return date 1/17/01. (lf) Modified on 01/23/2001 (Entered: 01/23/2001)

01/22/2001	28	DECLARATION of Melissa L. Weiss by Hoguet Newman & Regal, LLP counsel for deft Larry Cerrone in support Re: [27-1] motion for an order granting Hoguet Newman & Regal, LLP's motion withdraw as counsel for deft Larry Cerrone; [27-2] motion for an award of the Attny fees and disbursements owed to Hoguet Newman & Regal, LLP . (lf) Modified on 01/23/2001 (Entered: 01/23/2001)
02/02/2001	29	STIPULATION and ORDER of substituion of counsel; that Annmarie P. Venuti shall be substituted as attorney of record for defts Die Fliedermaus in place and stead of Ross & Hardies (signed by Judge Robert W. Sweet) (lam) (Entered: 02/06/2001)
02/02/2001		Memo endorsed on motion; granting [23-1] motion for an order relieving it and attnys. Richard A. Wilsker, Catherine A. Rogers, and Joyce E. Levowitz, as attnys. of record for defts Die Fliedermaus LLC and Gerald J. Shallo; the fee issue will be submitted at the convenience of counsel . (signed by Judge Robert W. Sweet); Copies mailed. (kw) (Entered: 02/06/2001)
02/02/2001		Memo endorsed on motion; granting [27-1&2] motion for an order granting Hoguet Newman & Regal, LLP's motion to withdraw as counsel for deft Larry Cerrone; motion granted to withdraw. Fees and disbursements issue to be submitted at the convenience of counsel. So Ordered. (signed by Judge Robert W. Sweet); Copies mailed. (jp) (Entered: 02/09/2001)
02/20/2001	30	ORDER; All motions are to be made returnable at 12:00 noon on Wednesday and in compliance with the rules of this the parties shall complete all discovery, inspection and motions by 07/17/01; The parties shall submit to the court trial briefs, a joint proposed pretrial order, and, if applicable, proposed jury charges and voir dire requests in accordance with the annexed form and instructions by 07/24/01; A final pretrial confernce will be held at 4:30 p.m. on 07/24/01 and the action shall be added to the trial calendar published in the New York Law Journal ; (signed by Judge Robert W. Sweet); Copies mailed. (djc) Modified on 02/21/2001 (Entered: 02/20/2001)
02/20/2001	31	ORDER; reset discovery due for 7/17/01, as stated during the 1/31/01 court conference . (signed by Judge Lawrence M. McKenna); Copies mailed. (pl) (Entered: 02/21/2001)
03/07/2001	32	Memo-Endorsement on letter addressed to Judge Sweet from Annmarie P. Venuti, dated 2/20/01; response to motion reset to 3/8/01 for [23-2] motion for an order awarding Ross & Hardies the fees and disbursements owed by defts (signed by Judge Robert W. Sweet); Copies mailed. (lam) (Entered: 03/09/2001)
03/09/2001	33	AFFIDAVIT of deft Gerald J. Shallo (case #99cv2451) in opposition to [23-2] motion to award Ross & Hardies the fees and disbursements owed by defts. (lam) (Entered: 03/13/2001)
03/09/2001	34	MEMORANDUM OF LAW filed by Gerald J. Shallo (case #99cv2451) in opposition to [23-2] motion to award Ross & Hardies the fees and disbursements owed by defts. (lam) (Entered: 03/13/2001)
03/22/2001	35	Memo-Endorsement on letter addressed to Judge Sweet from the Law Firm of Ross & Hardies, dated 3/12/01. Re:, former counsel for dft's Die Fliedermaus, L.L.C. and Gerald J. Shallo write to the Court to confirm the teldphone

		converstioan regarding motion for fees and costs dated 1/3/01; sealing is granted, a copy will be served on counsel for Shallo . (signed by Judge Robert W. Sweet); Copies mailed. (pl) (Entered: 03/27/2001)
04/04/2001	36	SEALED DOCUMENT placed in vault. (af) (Entered: 04/04/2001)
04/04/2001	37	SEALED DOCUMENT placed in vault. (af) (Entered: 04/04/2001)
04/04/2001	38	STIPULATION AND ORDER; substituting AnnMarie P. Venuti, Esq. in place of Ross & Hardies as counsel of record for deft, Gerald J. Shallo. (signed by Judge Robert W. Sweet) (sac) (Entered: 04/05/2001)
04/11/2001	39	NOTICE OF REDESIGNATION OF A CIVIL CASE TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge Gabriel W. Gorenstein. Please note that this is a reassignment of the designation only. Copy of notice mailed to Attorney(s) of record: Elizabeth A. Mason, Annmarie P. Venuti, Richard A. Wilsker, Daniel S. Greenfeld, Sunu P. Chandy, Elizabeth A. Grossman. (db) (Entered: 04/11/2001)
04/11/2001	40	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Gen. Pretrial/After Initial Case Mgmt. Conference; Referred to Magistrate Judge Gabriel W. Gorenstein. (signed by Judge Robert W. Sweet) (pl) (Entered: 04/12/2001)
04/24/2001	41	SEALED DOCUMENT placed in vault. (rp) (Entered: 04/24/2001)
05/31/2001	42	SEALED DOCUMENT placed in vault. (rp) (Entered: 05/31/2001)
06/25/2001	43	SEALED DOCUMENT placed in vault. (wv) (Entered: 06/25/2001)
07/12/2001	44	SEALED DOCUMENT placed in vault. (rp) (Entered: 07/12/2001)
07/12/2001	45	Memo-Endorsement on letter addressed to Judge Sweet from Sunu P. Chandy, dated 7/5/01; reset discovery cutoff to 9/17/01 on which date the pre-trial order will be filed; no plaintiff will testify without being deposed prior to testimony . (signed by Judge Robert W. Sweet); Copies mailed. (pl) (Entered: 07/13/2001)
08/06/2001		Terminated document 23-2 pursuant to instructions of Judge Sweet. (rag) (Entered: 08/06/2001)
08/13/2001	46	ORDER, the EEOC and Intervening plntfs be permitted to depose by videotape Patrick Kelly, ID #45980-054, currently incarcerated in F.P.C. Allenwood, on 8/30 and 31/01, or on alternative dates which are mutually agreeable to the parties (signed by Judge Robert W. Sweet); Copies mailed. (cd) (Entered: 08/14/2001)
08/15/2001		Pretrial Conference held before Magistrate Judge Gabriel W. Gorenstein. (kw) (Entered: 08/15/2001)
08/16/2001	47	ORDER; that pursuant to Local Rule 1.4 of the United States District Court of the Southern District of New York, it is Ordered that Morvillo, Abramowitz, Grand, Iason & Silberberg P.C.'s motion for leave to withdraw as counsel to Matthew Tortoso is granted . (signed by Judge Robert W. Sweet); Copies mailed. (kkc) (Entered: 08/17/2001)

08/16/2001	48	ORDER TO SHOW CAUSE by Matthew Tortoso, Show Cause Hearing set for 10:00 a.m. on 8/15/01; for an Order pursuant to Local Rule 1.4 of the United States District Court of the Southern District of New York permitting Morvillo, Abramowitz, Grand, Iason & Silberberg P.C. to withdraw as counsel to Matthew Tortoso . (signed Judge John G. Koeltl); Copies mailed. (kkc) (Entered: 08/17/2001)
08/22/2001	49	NOTICE OF MOTION by Larry Cerrone for an order purs. to Rule 37 of the F.R.C.P. granting full disclosure and service of all documents, either originals or copies thereof described herein . Return date 8/24/01. Affidavit of Laurent M. Cerrone attached. (sn) (Entered: 08/24/2001)
08/29/2001	50	NOTICE OF MOTION by Le Bar Bat, Inc.; for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment . Return date 9/12/01. Affidavit of Stephen Grabow attached. (kkc) (Entered: 08/30/2001)
08/29/2001	51	MEMORANDUM OF LAW by Le Bar Bat, Inc. in support of [50-1] motion for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment. (kkc) (Entered: 08/30/2001)
09/06/2001	52	ORDER; all motions are to be made returnable at 12:00 noon on Wed. and in compliance with the rules of this Court. The parties shall complete all discovery, inspection and motions by 11/19/01. The parties shall submit to the court trial briefs, a joint proposed pretrial order, and, if applicable, proposed jury charges and voir dire requests by 12/3/01. A final pretrial conference will be held at 4:30 PM on that date and the action shall be added to the trial calendar published in the NY Law Journal. The parties are directed to be ready for trial the day after the pretrial order is due and, upon receipt of 24-hour telephone notice, on any day thereafter . (signed by Judge Robert W. Sweet); Copies mailed. (sn) (Entered: 09/07/2001)
10/01/2001	53	SEALED DOCUMENT placed in vault. (rp) (Entered: 10/01/2001)
10/09/2001	54	STIPULATION and ORDER, Return date reset to 10/31/01 [50-1] motion for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment ; Plntf's Response to motion reset to 10/24/01 [50-1] motion for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment ; Deft Le Bar Bat's Reply to Response to Motion reset to 10/30/01 [50-1] motion for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment (signed by Judge Robert W. Sweet); (cd) (Entered: 10/10/2001)
10/12/2001		Pretrial Conference held before Magistrate Judge Theodore H. Katz. (db) (Entered: 10/17/2001)
10/15/2001	55	NOTICE of appearance by Laurent M. Cerrone (bai) (Entered: 10/17/2001)
10/22/2001		Telephone Conference held before Magistrate Judge Gabriel W. Gorenstein. (kw) (Entered: 10/22/2001)
10/25/2001	56	SEALED DOCUMENT placed in vault. (wv) (Entered: 10/25/2001)
11/01/2001	57	Memo-Endorsement on letter addressed to Judge Sweet from Judy Keenan, dated 10/17/01, EEOC's Response to motion reset to 11/29/01 for [50-1] motion for an Order pursuant to Rule 56(b) of the FRCP granting summary judgment (signed by Judge Robert W. Sweet); Copies mailed. (cd) (Entered: 11/02/2001)

11/01/2001	58	STIPULATION AND ORDER of dismissal as to Plaintiff EEOC's claims against defendant Le Bar Bat, Inc., only, with prejudice. Defendant Le Bar Bat, Inc., withdraws its Motion for Summary Judgment dated August 28, 2001 as to Plaintiff EEOC. Plaintiff EEOC and defendant Le Bar Bat, Inc will each bear their own costs, interest and attorneys fees in connection with the claims and causes of action of Plaintiff EEOC against defendant Le Bar Bat, and in connection with the motion for summary judgment of defendant Le Bar Bat, Inc and neither party will seek costs, sanctions, oir attorneys' fees against any party to this stipulation; (signed by Judge Robert W. Sweet) (djc) (Entered: 11/05/2001)
11/05/2001	59	STIPULATION AND ORDER of dismissal of the action as to deft Le Bar Bati, with prejudice, all claims and causes of action. The parties further stipulate that deft Le Bar Bat hereby withdraws its Motion for Summary Judgment dated 8/28/01, and no party will seek costs, sanctions, or attorneys fees against any other to this stipulation (signed by Judge Robert W. Sweet) (cd) (Entered: 11/06/2001)
11/05/2001	60	SEALED DOCUMENT placed in vault. (wv) (Entered: 11/06/2001)
11/05/2001	62	NOTICE of address change filed by E.E.O.C. . (yv) (Entered: 11/07/2001)
11/07/2001	61	SEALED DOCUMENT placed in vault. (wv) (Entered: 11/07/2001)
11/08/2001	63	ORDER; on October 4, 2001, defendant Die Fliedermaus filed a voluntary petition in Bankruptcy under Chapter 11 of the U.S. Bankruptcy Code ; Accordingly, the motion for an entry of judgment against defendant in the amount of \$141,685.55 is dismissed as to Die Fliedermaus, L.L.C., and the action against it is dismissed with leave to renew at a later date without imposition of a filing fee . (signed by Judge Robert W. Sweet); Copies mailed. (djc) Modified on 11/09/2001 (Entered: 11/09/2001)
11/08/2001	64	STIPULATION AND ORDER of dismissal; that all claims and causes of action of plaintiffs are dismissed with prejudice against defendant Le Bar Bat, Inc., only. Le Bar Bat hereby withdraws its Motion for Summary Judgment dated 8/28/01, and no party will seek costs, sanctions, or attorneys fees against any other to this stipulation. (signed by Judge Robert W. Sweet) (tp) Modified on 11/09/2001 (Entered: 11/09/2001)
11/08/2001	66	NOTICE of change of adres by counsel for E.E.O.C. (kw) (Entered: 11/14/2001)
11/08/2001		ORDER; that the Court's 9/5/01 Order is amended to include the following paragraph 2A; Due to the large number of depositions and voluminous document discovery pursued by the parties to this litigation, I hereby find that special circumstances exist such that defense counsel may file any motions for summary judgment on or before 12/3/01 and that the date for submission of the joint pretrial order by all parties is rescheduled to conference by 1/15/02 . (signed by Judge Robert W. Sweet); Copies mailed; orig. document docketed in 99cv2451 as document #50 (pl) (Entered: 11/14/2001)
11/13/2001	65	ORDER; that Ross & Hardies may obtain copies of the transcripts of the depositions taken in 99cv1732 and 99cv2451 and use them in the sealed matter relating to Ross & Hardies' motion for fees and costs which is pending before this

		Court . (signed by Judge Robert W. Sweet); Copies mailed. (pl) (Entered: 11/13/2001)
11/19/2001	67	Memo-Endorsement on letter addressed to Judge Sweet from Sunu P. Chandy, dated 10/5/01; granting the EEOC's request for a discovery extension until 2/19/02, and for the pretrial order to be due on 3/6/02 . (signed by Judge Robert W. Sweet); Copies mailed. (sn) (Entered: 11/20/2001)
11/26/2001	68	Memo-Endorsement on letter addressed to Judge Sweet from Sunu P. Chandy, dated 10/5/01: Granting counsel for the EEOC requesting that the discovery deadline be extended until 2/19/02; and the pretrial order be due on 3/6/02 . (signed by Judge Robert W. Sweet); Copies mailed. (tp) (Entered: 11/27/2001)
11/28/2001	69	NOTICE OF MOTION by E.E.O.C. for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion . Declaration of Judy Keenan in support of motion attached. Return date 12/12/01. (db) (Entered: 12/06/2001)
11/28/2001	70	MEMORANDUM OF LAW by E.E.O.C. in support of [69-1] motion for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion. (db) (Entered: 12/06/2001)
12/12/2001	71	STIPULATION; that Ross & Hardies application for fees against defendant Gerald J. Shallo, shall and hereby is discontinued in accordance with the settlement agreement reached between the parties; That Ross & Hardies' application for fees against defendant Die Fliedermaus LLC was dismissed by order of this Court dated 11/7/01. (signed by Judge Robert W. Sweet) (tp) (Entered: 12/17/2001)
12/17/2001	72	MEMORANDUM OF LAW by Die Fliedermaus in opposition to [69-1] motion for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion. (kkc) (Entered: 12/18/2001)
12/17/2001	73	AFFIDAVIT of Annmarie P. Venuti by Die Fliedermaus in opposition to [69-1] motion for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion. (kkc) (Entered: 12/18/2001)
12/17/2001	74	AFFIDAVIT of Gerald J. Shallo by Die Fliedermaus in opposition to [69-1] motion for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion. (kkc) (Entered: 12/18/2001)
12/17/2001	80	DECLARATION of Judy Keenan by E.E.O.C. in support Re: [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action. (djc) (Entered: 03/05/2002)
01/23/2002	75	Notice of Letter MOTION by E.E.O.C. to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action . No Return date indicated. (db) (Entered: 01/25/2002)
02/06/2002	76	MEMORANDUM OF LAW by Die Fliedermaus in opposition to [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action . (db) (Entered: 02/08/2002)

02/06/2002	77	AFFIDAVIT of Gerald J. Shallo by Die Fliedermaus in opposition to [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action . (db) (Entered: 02/08/2002)
02/13/2002	78	REPLY MEMORANDUM by E.E.O.C. in further support of [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action (db) (Entered: 02/15/2002)
02/28/2002		Terminated document 49-1 pursuant to order of Judge Sweet as indicated on the CJRA report. (rag) (Entered: 02/28/2002)
02/28/2002	79	REPLY MEMORANDUM by E.E.O.C. in Further Support of [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action; (djc) (Entered: 03/05/2002)
02/28/2002	82	Letter filed by E.E.O.C. addressed to Judge Sweet from Sunu P. Chandy, dated 02/12/02; re: counsel requests an extension of discovery deadline; (djc) (Entered: 03/13/2002)
03/01/2002	81	OPINION #86642, granting in part, denying in part [75-1] motion to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action, and granting in part, denying in part [69-1] motion for an order compelling defendant Die Fliedermaus, L.L.C. to comply with discovery obligations as further set forth in said motion; the EEOC is permitted to continue discovery to the extent that it is consistent with the principles set forth in this opinion and 11 USC 362 of the Bankruptcy Code. The deadline for discovery will be extended for eight weeks from the date of this opinion . (signed by Judge Robert W. Sweet); Copies mailed. (kw) (Entered: 03/06/2002)
03/11/2002	83	Notice of Letter MOTION by E.E.O.C. to compel discovery regarding affirmative defenses alleging that defendant Die Fliedermaus took prompt remedial action . Return date not indicated. Proposed order and exhibits attached. (moc) (Entered: 03/14/2002)
04/30/2002		PRETRIAL CONFERENCE held before Judge Robert W. Sweet . (db) (Entered: 05/06/2002)
04/30/2002		PRETRIAL CONFERENCE set at 6/25/02 before Judge Robert W. Sweet . (db) (Entered: 05/06/2002)
05/02/2002	84	Memorandum to Docket Clerk: pre-trial conference held on 4/30/02 before Judge Sweet, next conference set for 6/25/02. (db) (Entered: 05/06/2002)
05/23/2002	85	CONSENT JUDGMENT; This decree resolves the EEOC's claims as alleged in the complaint as futher set forth in this consent judgment. (signed by Judge Robert W. Sweet) Entered On Docket: 5/29/02. (jco) (Entered: 05/29/2002)
05/23/2002		Case closed. (jco) (Entered: 05/29/2002)
09/20/2002	86	STIPULATION of discontinuance; that on 11/98/01, dft. Simon Azoulay declared Chapter 7 Bankruptcy in the Eastern District Court of the State of New York bearing Docket No. 01-23948(DEM). In his petition for Bankruptcy, dft. Simon Azoulay scheduled the six plaintiffs as unsecured creditors based upon their having filed suit against him in this matter; the Bankruptcy case was fully

		administered and the Court granted a discharge without objection by any creditor on 2/19/02; because of the bankruptcy filing, it is understood that dft. Simon Azoulay has been discharged of any personal liability for the claims filed against him in the federal complaint except as provided by applicable federal and state law including, but not limited to, the Bankruptcy Code, and therefore on this basis plaintiff's hereby agree to discontinue this action against Simon Azoulay, with prejudice; dft. Simon Azoulay agrees that he will continue to submit himself to the jurisdiction of the Court only as agreeing to be treated as a party with regard to testifying at trial- i.e., he need not be subpoenaed as a witness for trial. He may attend the trial as if he still were a defendant. (signed by Judge Robert W. Sweet); (pl) Modified on 09/25/2002 (Entered: 09/23/2002)
12/15/2003	87	RESPONSE AND OBJECTIONS to Interrogatories from Laurent M. Cerrone.Document filed by Laurent M. Cerrone.(db,) Modified on 12/31/2003 (db,). (Entered: 12/31/2003)

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