

CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:97-cv-05166-JGK-RLE**

Equal Opportunity, et al v. Lew Lieberbaum & Co.  
Assigned to: Judge John G. Koeltl  
Referred to: Magistrate Judge Ronald L. Ellis  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 07/16/1997  
Date Terminated: 04/13/1998  
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) 748-8409  
Email: elizabeth.grossman@eeoc.gov  
**LEAD ATTORNEY**

V.

**Defendant**

**Lew Lieberbaum & Co., Inc.**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/16/1997	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (No Fees Pd. - U.S.A.). (em) (Entered: 07/18/1997)
07/16/1997		CASE REFERRED TO Judge John G. Koeltl. (em) (Entered: 07/18/1997)
07/24/1997	3	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial/Including Initial Case Management Conference ( signed by Judge John G. Koeltl ) Referred to Magistrate Judge Ronald L. Ellis (ae) (Entered: 08/01/1997)
07/25/1997		Case accepted as related to 97 cv 3016 Notice of assignment to follow. (jp) (Entered: 07/29/1997)
07/25/1997	2	Notice of assignment to Judge John G. Koeltl Copy of notice and judge's rules mailed to Attorney(s) of record: Elizabeth A. Grossman . (jp) (Entered: 07/29/1997)

08/18/1997	4	APPLICATION by Equal Employment Opportunity Commission for order to show cause as to why Subpoena should not be enforced . (pl) Modified on 08/21/1997 (Entered: 08/20/1997)
08/18/1997	5	MEMORANDUM by Equal Employment Opportunity Commission in support of [4-1] motion for order to show cause why a subpoena should not be enforced. Appendix of documents in support attached. (pl) Modified on 08/21/1997 (Entered: 08/20/1997)
08/22/1997	7	AFFIDAVIT of Lizabeth Schalet by Equal Employment Opportunity Commission Re: regarding photographs taken at the offices of Lew Lieberbaum Co., Inc. (ae) (Entered: 08/26/1997)
08/25/1997	6	ORDER TO SHOW CAUSE by Equal Employment; Show Cause Hearing set for 4:30 p.m. on 9/3/97 for Eileen Gleit Melniker to show cause why she should not be compelled to comply with the subpoena issued to her ( signed by Judge John G. Koeltl ); Copies mailed. (kw) (Entered: 08/26/1997)
08/25/1997	9	Affidavit of service of EEOC's Application for Order to Show Cause, Memo of Law, etc. upon Eileen Gleit Melniker by via federal express, next day deliver on 8/21/97 (ae) (Entered: 08/27/1997)
08/26/1997	8	Filed Memo-Endorsement on letter by Elizabeth Grossman dated 8/22/97, I will hear the parties on Monday, August 25, 1997 at 9:30 A.M. re: EEOC's application for Order to Show Cause why Subpoena should not be enforced against Eileen Melniker ( signed by Judge John G. Koeltl ) (pl) (Entered: 08/27/1997)
10/14/1997	10	ORDER, that EEOC Subpoena No. NY-97-041 be enforced ; that EEOC serve a copy of this Order on Ms. Melniker as soon as possible ; that Ms. Melniker produce to EEOC the documents requested in its subpoena within ten calendar days of the service of this Order (signed by Judge John G. Koeltl) Copies mailed (djc) (Entered: 10/15/1997)
10/21/1997		Pre-trial conference held before Magistrate Judge Ellis. All discovery to be completed by 5/15/98. (kw) (Entered: 10/27/1997)
10/21/1997		Pre-trial conference set at 10:30 a.m. on 12/17/97. (kw) (Entered: 10/27/1997)
10/23/1997	11	ORDER, reset fact discovery due for 5/15/98 ; the parties are to appear for a further conference with the court on 12/17/97 at 10:30 am ( signed by Magistrate Judge Ronald L. Ellis ); Copies mailed (cd) Modified on 10/27/1997 (Entered: 10/24/1997)
11/13/1997	12	Filed Memo-Endorsement on letter to Judge Koeltl from Robert D. Lipman dated 10/13/97; granting the parties request that the motion to intervene be submitted in seven to ten days ; ( signed by Judge John G. Koeltl ) (ls) (Entered: 11/13/1997)
11/18/1997	13	Filed Memo-Endorsement on letter to Judge Koeltl from Robert D. Lipman dated 11/14/97; granting the parties joint request for a second extension of time to file the motion to intervene in this matter, giving plaintiff-intervenors discretion when this motion to intervene will be made ; ( signed by Judge John G. Koeltl ) (ls) (Entered: 11/19/1997)

11/18/1997	14	ORDER TO SHOW CAUSE by Equal Employment; Show Cause Hearing set for 4:00 12/11/97 respondent to appear and to show cause why she should not be held in Contempt of Court ( signed by Judge John G. Koeltl ); Copies mailed. (cd) (Entered: 11/19/1997)
11/21/1997	15	Filed Memo-Endorsement on letter dated 11/14/97 from Robert D. Lipman, granting plaintiff-intervenors' request for an extension of time on their own discretion of when to file their motion to intervene ( signed by Judge John G. Koeltl ) (kw) (Entered: 11/24/1997)
12/12/1997	16	ORDER TO SHOW CAUSE by Equal Employment; Show Cause Hearing set for 1/26/98; for a ruling holding Eileen Gleit Melniker in contempt of court ( signed by Judge John G. Koeltl ); Copies mailed. (sac) Modified on 12/18/1997 (Entered: 12/17/1997)
01/27/1998	17	ORDER; that should Ms. Gleit-Melniker not appear on 1/26/98 at 4:00 p.m. in Courtroom 12B, the Court may issue a warrant for her arrest for contempt of court ; ( signed by Judge John G. Koeltl ); copies mailed (ls) (Entered: 01/28/1998)
01/29/1998	18	ORDER, Don Buchwald, Esq., the Criminal Justice Act attorney assigned to take cases on 1/27/98, is appointed representation of Ms. Gleit-Melniker for the limited purpose of representation in connection with the contempt proceeding. This order shall be nunc pro tunc as of 1/27/98 ( signed by Judge John G. Koeltl ); Copies mailed (cd) (Entered: 01/29/1998)
01/29/1998	19	FINANCIAL AFFIDAVIT by Lew Lieberbaum & Co. (dkt & file as per chambers request) (sac) (Entered: 02/02/1998)
02/05/1998	20	Case Mgmt. And Schedule Order; a discovery conference was held before U.S.M.J. Ellis on 1/29/98; next pretrial conference on n4/1/98 at 10:30 control date (ls) (Entered: 02/06/1998)
02/06/1998	21	ORDER, the parties shall appear for a further conference with the court on 4/1/98, at 10:30 ( signed by Magistrate Judge Ronald L. Ellis ); Copies mailed (kw) (Entered: 02/09/1998)
03/06/1998	22	Transcript of record of proceedings held before Hon. John G. Koeltl filed for dates of January 26, 1998. (em) Modified on 03/06/1998 (Entered: 03/06/1998)
03/24/1998	23	NOTICE OF MOTION by Equal Employment for an order finding Eileen Gleit Melniker in contempt of Court for failing to comply with a subpoena issued by EEOC on 7/7/97 and this Court's Orders of 8/25/97 and 10/10/97 ; affidavit in support is attached. (kw) (Entered: 03/30/1998)
04/08/1998	24	AFFIDAVIT in opposition of Don D. Buchwald Re: [23-1] motion for an order finding Eileen Gleit Melniker in contempt of Court for failing to comply with a subpoena issued by EEOC on 7/7/97 and this Court's Orders of 8/25/97 and 10/10/97 (ls) (Entered: 04/13/1998)
04/08/1998	25	MEMORANDUM in opposition to [23-1] motion for an order finding Eileen Gleit Melniker in contempt of Court for failing to comply with a subpoena issued by EEOC on 7/7/97 and this Court's Orders of 8/25/97 and 10/10/97 (ls) (Entered: 04/13/1998)

04/13/1998	26	CONSENT DECREE JUDGMENT: ORDERED, ADJUDGED AND DECREE; this decree resolves all of the issues, claims and causes of action which are the subject of the Complaint and which arose prior to the effective date of this Decree, including, w/o limitation, EEOC Charge Nos. 160952407, 160962529, 160970303, 16097389, 160970575, 160970617, and 160970719. Nothing in this Consent Decree is intended to affect, limit, or to be used as an admission by any party in, the pending federal court litigation 97 Civ. 3016 (JGK) commenced by the three individual charging parties who had brought EEOC Charge Nos. 160-95-2407, 160-97-0303, 160-97-0575 and 160-97-0719. Each party and each of the Claimants shall bear their own attorneys' fees and costs incurred in this action. This Decree will remain in effect for 3 years from the date of entry (signed by Judge John G. Koeltl). EOD:4/14/98 (kg) Modified on 04/15/1998 (Entered: 04/14/1998)
04/13/1998		Case closed (kg) (Entered: 04/14/1998)
04/15/1998	27	SEALED DOCUMENT placed in vault (da) (Entered: 04/15/1998)
04/15/1998	28	Order of dismissal, the action having been resolved ( signed by Judge John G. Koeltl ) (cd) (Entered: 04/16/1998)
04/30/1998	29	ORDER, the petitioner shall submit its reply, if any, by 5/6/98 ( signed by Judge John G. Koeltl ); Copies mailed (kw) (Entered: 05/01/1998)
05/08/1998	30	ORDER, the motion by plaintiff for contempt against Eileen Gleit Melniker is marked withdrawn at the request of the plaintiff Equal Employment Opportunity Commission ( signed by Judge John G. Koeltl ); Copies mailed (ae) (Entered: 05/11/1998)
03/30/2000	31	Status Report by Kirk R. McCormick, attorney for defendant Prio Sartono. (kw) (Entered: 04/04/2000)

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