

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-07784-JGK-KNF**

E.E.O.C. v. NHS National Health, et al  
Assigned to: Judge John G. Koeltl  
Referred to: Magistrate Judge Kevin Nathaniel Fox  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 10/22/1997  
Date Terminated: 11/18/1998  
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**  
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*LEAD ATTORNEY*

V.

**Defendant**

**NHS National Health Services, Inc.**

represented by **Jeffrey G. Pittell**  
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 TERMINATED: 05/06/1998  
 LEAD ATTORNEY

**Defendant**

**EMSA Correctional Care, Inc.**

represented by **Laura A. Watanabe**  
 Jackson, Lewis, Schnitzler & Krupman  
 101 Park Avenue - 37th FLOOR  
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 (212) 697-8200  
 LEAD ATTORNEY

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 10/22/1997        | 1        | COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ USA (bm) (Entered: 10/23/1997)  |
| 10/22/1997        |          | Magistrate Judge Kevin N. Fox is so Designated. (bm) (Entered: 10/23/1997)   |
| 12/15/1997        | 2        | Case Management Plan and Scheduling Order in a Standard or Complex Case: no add'l. parties may be joined after 1/26/98; no add'l. causes of action or defenses may be asserted after 1/26/98; deadline for filing of procedural motions 2/16/98; discovery cutoff 3/2/98; joint pretrial order, any motions in limine or motions to bifurcate to be submitted on or before 4/27/98; dispositive motions, if any, are to be served by 3/30/98; the parties shall be ready for trial on or after 5/18/98; case is referred to the Magistrate Judge for settlement; ( by Judge John G. Koeltl ); copies mailed. (ls) (Entered: 12/17/1997)  |
| 12/17/1997        | 3        | Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement ( signed by Judge John G. Koeltl ) Referred to Magistrate Judge Kevin N. Fox (cd) (Entered: 12/18/1997)  |
| 02/04/1998        | 4        | STIPULATION and ORDER EXTENDING TIME ; reset answer to the complt. due for 2/16/98 for EMSA Correctional, for NHS National Health ; the time w/in which to join add'l. parties is extended to 3/27/98; the time w/in which to assert add'l. causes of action or defenses is extended to 3/27/98 ; reset all procedural motions filing deadline for 4/17/98 ; reset all discovery due for 5/4/98 ; dispositive motions, if any, are to be served by 6/5/98 ; reset joint pretrial order together w/ any motions in limine or motions to bifurcate due for 7/2/98 ; reset trial ready deadline for 7/9/98 ; a pre-trial conference will be scheduled by the Court at any time after submission of the pre-trial orders; in the event a dispositive motion is made, the dates for submitting the joint pre-trial order and start of trial shall be changed from that shown above to three weeks from the decision on the motion; a final pre-trial conference, if any, will be scheduled by the Courtroom Deputy ; ( signed by Judge John G. Koeltl ). (ls) (Entered: 02/05/1998) |

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| 02/17/1998 | 7  | ANSWER to Complaint by NHS National Health (Attorney Robert W. Ottinger) (emil) (Entered: 02/23/1998)   |
| 02/17/1998 | 8  | Rule 1.9 certificate filed by NHS National Health (emil) (Entered: 02/23/1998)  |
| 02/18/1998 | 5  | ANSWER to Complaint by EMSA Correctional; (Attorney Laura A. Watanabe); by attorney Laura A. Watanabe for defendant EMSA Correctional (ls) (Entered: 02/20/1998)  |
| 02/18/1998 | 6  | Rule 1.9 certificate filed by EMSA Correctional (ls) (Entered: 02/20/1998)  |
| 02/23/1998 | 9  | Filed Memo-Endorsement on letter addressed to Magistrate Judge Fox from Lori D. Bauer, dated 2/19/98; granting counsel for deft EMSA's request for an adjournment of the settlement conference until 3/18/98 at 2:30 p.m. Deft's counsel is to notify counsel of new date and time ( signed by Magistrate Judge Kevin N. Fox ) (sac) (Entered: 02/24/1998)  |
| 03/18/1998 |    | Settlement conference held before Magistrate Judge Kevin Nathaniel Fox. (rag) (Entered: 04/08/1998)   |
| 05/06/1998 | 10 | STIPULATION AND ORDER FOR SUBSTITUTION OF ATTORNEYS; that Jeffrey G. Pittell is substituted as counsel for deft NHS Nat'l. Health Scvs., Inc., in this action in place of Dienst & Serrins, LLP ; ( signed by Judge John G. Koeltl ). (ls) (Entered: 05/07/1998)  |
| 05/06/1998 | 11 | STIPULATION and ORDER, reset amended pleadings due for 5/15/98 ; reset procedural motion filing deadline for 5/18/98 and dispositive motions, if any, are to be served by 8/6/98 ; reset joint pretrial order due for 9/4/98 , reset trial ready deadline set for 10/5/98 ; a pre-trial conference will be scheudled by the Court at any time after submission ofthe pre-trial orders ( signed by Judge John G. Koeltl ). (cd) (Entered: 05/07/1998)  |
| 06/22/1998 | 12 | STIPULATION and ORDER, that Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel is hereby substituted as counsel for defendant NHS National Health Svcs., Inc in place and stead of Jeffrey G. Pittel, Esq. (signed by Judge John G. Koeltl). (dj) (Entered: 06/23/1998)   |
| 07/13/1998 | 13 | STIPULATION and PROPOSED ORDER, extending time w/in which to assert additional causes of action or defenses is extended to 7/15/98 ; reset all procedural motions filing deadline for 7/17/98 ; reset all discovery due for 9/8/98 ; dispositive motions, if any, are to be served by 10/6/98 ; joint pretrial order together with any motions in limine or motions to bifurcate shall be submitted by 11/4/98. The pretrial order shall conform to the Court's Form Joint Pre-Trial Order ; the parties shall be ready for trial on or after 12/4/98 ; A pre-trial conference will be scheduled by the Court at any time after submission of the pre-trial orders. In the event a dispositive motion is made, the dates for submitting the Joint Pre-Trial Order (together with Memoranda of Law, Requests to Charge, Proposed Voir Dire, Proposed Findings of Fact and Conclusions of Law, as appropriate) and start of trial shall be changed from that shown to three weeks from the decision on the motion. The final pre-trial conference, if any, will be scheduled by the Courtroom Deputy (signed by Judge John G. Koeltl). (kg) (Entered: 07/17/1998) |
| 11/17/1998 | 14 | SEALED DOCUMENT placed in vault (kb) (Entered: 11/17/1998)  |

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| 11/18/1998 | 15 | <p>CONSENT DECREE; this decree does fully and finally dismiss all matters in controversy between and among the parties hereto, incl. any issues raised by EEOC Charge Numbers No. 160-96-2306 and 160-96-2778, and all of the allegations contained in the Compl. fld. in this action by the EEOC; ea. party agrees to fully bear its own costs and attnys's fees incurred in this action; w/in 10 business days of the entry of this Decree and in accordance w/ the agreement reached among the parties, Deft NHS agrees to pay the total gross settlement amt. of Sixty-Six Thousand Five Hundred Dollars and No Cents, less any required deductions, to the six (6) individuals as set forth in exhibit "3" attached hereto; as such, Defts NHS will pay the amts. listed in Exhibit "3" w/in five (5) business after Deft NHS receives a "so orderd" copy of this Decree; deft NHS agrees to forward to the EEOC copies of the checks endorsed by ea. indiv. listed in exhibit "3" w/in ten (10) business days of receipt defts agree to permanently remove the below listed items from the personel file of the indiv. listed in this Consent Decree; ( signed by Judge John G. Koeltl ); EOD 11/19/98 (ls) Modified on 11/20/1998 (Entered: 11/19/1998)</p> |
| 11/18/1998 |    | Case closed (ls) (Entered: 11/19/1998)   |

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