

CASREF, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:03-cv-06190-LTS**

E.E.O.C., et al v. Poggenpohl U.S.  
Assigned to: Judge Laura Taylor Swain  
Referred to: Magistrate Judge Debra C. Freeman (Settlement)  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/19/2003  
Date Terminated: 04/16/2004  
Jury Demand: None  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Katherine E. Bissell**  
U.S. Equal Employment Opportunity  
Commission  
New York District Office  
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**Monique J. Roberts**  
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V.

**Defendant**

**Poggenpohl U.S., Inc.**

represented by **Paul J. Siegel**  
 Jackson Lewis, L.L.P.  
 1000 Woodbury Road  
 Suite 402  
 Woodbury, NY 11797  
 (516) 364-0404  
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**Roger H. Briton**  
 Jackson, Lewis LLP  
 1000 Woodbury Road  
 Suite 402  
 Woodbury, NY 11797  
 (516)364-0404  
*LEAD ATTORNEY*

**Defendant****Birkenfeld**

represented by **Paul J. Siegel**  
 Jackson Lewis LLP  
 1000 Woodbury Raod  
 Suite 402  
 Woodbury, NY 11797  
 (516) 364-0404  
*ATTORNEY TO BE NOTICED*

**Defendant****Margot Solomon**

represented by **Paul J. Siegel**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/19/2003	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). (laq) (Entered: 08/20/2003)
08/19/2003		Magistrate Judge Debra Freeman is so designated. (laq) (Entered: 08/20/2003)
08/28/2003	2	PRELIMINARY PRE-TRIAL ORDER; set pretrial conference for 10:30 11/25/03, in Courtroom NO. 444, 40 Foley Square, N.Y.C. ; that counsel for plaintiff(s) shall serve a copy of this Preliminary Pre-Trial Order on each defendant within ten calendar days following the date of this order that a copy of this Preliminary Pre-Trial Order shall also be served with an subsequent process that brings additional parties, and that proof of such service shall be filed with the Court promptly , counsel for the parties confer preliminarily at least 21 days prior to the date set forth in in this Order to discuss the matters that are set forth in this Order; in the event that any party fails to comply with this Order, the Court may impose sanctions or take other action as appropriate . ( signed by Judge Laura T. Swain ); Copies mailed by chambers (pl) (Entered: 09/04/2003)

10/20/2003	3	RULE 7.1 CERTIFICATE filed by Poggenpohl U.S. . (yv) (Entered: 10/24/2003)
10/20/2003	4	ANSWER to Complaint by Poggenpohl U.S. (Attorney Paul J. Siegel, Roger H. Briton from the Firm: Jackson Lewis LLP); jury demand. (yv) (Entered: 10/24/2003)
10/24/2003	5	STIPULATION MOTION FOR INTERVENTION OF COUNSEL FOR INDIVIDUAL PLAINTIFF, plntf and deft do not object to the intervention of Saul Zabell to serve as counsel for Ms. Azza Elmostehi ; reset answer to complaint due for 10/20/03 for Poggenpohl U.S. ; the proposed Amended Complaint appended by Mr. Zabell to his motion to intervene is withdrawn ; within 20 days after the Court enters an order permitting the intervention of Saul Zaell as counsel for Ms. Elmostehi, an Amended Complaint can be served ( signed by Judge Laura T. Swain ) (cd) (Entered: 10/28/2003)
11/24/2003	6	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Elliot D. Bernak dated 11/20/03 re: adjournment of the scheduled pretrial conference. Application GRANTED. The conference is adjourned to 12/19/2003 at 4:00 PM before Judge Laura Taylor Swain.(Signed by Judge Laura Taylor Swain on 11/21/03) Copies Faxed by Chambers.(db, ) (Entered: 12/01/2003)
12/03/2003	7	CERTIFICATE OF SERVICE of Endorsed Memo served on Monique J. Roberts, Esq., Trial Attorney for Plaintiff on 11/24/03. Document filed by Poggenpohl U.S. (sac, ) (Entered: 12/12/2003)
12/15/2003	8	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Monique Roberts dated 12/11/2003 re: Extension of time to submit the Joint Pre-trial Statement on 12/18/2003. The application is granted.. (Signed by Judge Laura Taylor Swain on 12/12/2003) (Sacco, John) (Entered: 01/05/2004)
12/15/2003		Set Deadlines/Hearings: Pretrial Order due by 12/18/2003. (Sacco, John) (Entered: 01/05/2004)
12/29/2003	9	ENDORSED LETTER addressed to Judge Laura Taylor Swain from Elliot D. Bernak dated 12/23/2003 re: Adjournment of pre-trial conference scheduled for 12/18/2003 and proposed preliminary statement due date. The application is granted. The conference is adjourned to 1/23/2004 at 4:45pm. The preliminary pre-trial statements shall be served and filed with a courtesy copy for chambers, by January 16, 2004.. (Signed by Judge Laura Taylor Swain on 12/23/2003) Copies mailed by chambers.(jsa, ) Modified on 1/12/2004 (jsa, ). (Entered: 01/12/2004)
12/29/2003		Set/Reset Hearings: Pretrial Conference set for 1/23/2004 04:45 PM before Judge Laura Taylor Swain. (jsa, ) (Entered: 01/12/2004)
01/09/2004	10	AMENDED COMPLAINT against Birkenfeld, Margot Solomon, Poggenpohl U.S. Document filed by Equal Employment Opportunity Commission.(sac, ) (Entered: 01/14/2004)
01/13/2004	11	ENDORSED LETTER addressed to Judge Swain from Saul D. Zabel dated 1/8/2004 re: 45 day extension of time for the plaintiff to serve defendant Poggenpohl. The application is granted.. (Signed by Judge Laura Taylor Swain on 1/12/2004) Copies faxed by chambers.(jsa, ) (Entered: 01/27/2004)

01/16/2004	12	ANSWER to Amended Complaint. Document filed by Birkenfeld, Poggenpohl U.S., Inc. Related document: [10] Amended Complaint filed by Equal Employment Opportunity Commission.(tp, ) (Entered: 01/28/2004)
01/20/2004	13	CERTIFICATE OF SERVICE of Endoresed letter served on Monique Roberts and Elliot Bernak on 1/13/04. Service was made by mail. (moc, ) (Entered: 01/30/2004)
01/23/2004		Minute Entry for proceedings held before Judge Laura Taylor Swain : Interim Pretrial Conference held on 1/23/2004. Pltf-intervenor's time to serve Deft Solomon extended to 2/20/04. (kw, ) (Entered: 01/27/2004)
01/23/2004		Set Deadlines/Hearings: Pretrial Conference set for 3/22/2004 02:00 PM before Judge Laura Taylor Swain. (kw, ) (Entered: 01/27/2004)
01/27/2004	14	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement. Referred to Magistrate Judge Debra C. Freeman. (Signed by Judge Laura Taylor Swain on 1/23/2004) Copies mailed by Chambers.(jsa, ) (Entered: 02/02/2004)
02/02/2004	15	PRELIMINARY PRE-TRIAL STATEMENT; Document filed by Birkenfeld, Equal Employment Opportunity Commission, Poggenpohl U.S., Inc., Margot Solomon. (pl, ) (Entered: 02/05/2004)
02/20/2004	16	Letter addressed to Counsels of record from The Chambers of Mag. Judge Debra Freeman dated 2/11/04 re: advising counsel that case has been referred to her by Judge Swain for the purpose of settlement; and setting this matter down for a settlement confernece for Thursday, 03/245/04 at 11:00 a.m.. (djc, ) (Entered: 02/25/2004)
02/20/2004		Set/Reset Hearings: Settlement Conference set for 3/25/2004 11:00 AM before Magistrate Judge Debra C. Freeman. (djc, ) (Entered: 02/25/2004)
03/10/2004	17	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Margot Solomon served on 2/26/2004, answer due 3/17/2004. Service was accepted by personal service. Document filed by Equal Employment Opportunity Commission. (jco, ) (Entered: 03/15/2004)
04/05/2004	18	ANSWER to Intervenor's Amended Complaint. Document filed by Margot Solomon.(pl, ) (Entered: 04/08/2004)
04/09/2004		Minute Entry for proceedings held before Judge Debra C. Freeman : Settlement Conference held on 4/9/2004. (kw, ) (Entered: 04/13/2004)
04/09/2004		MEMORANDUM TO THE DOCKET CLERK: for proceedings held before Judge Debra C. Freeman : Settlement Conference held on 4/9/2004. (kw, ) (Entered: 04/13/2004)
04/13/2004	19	MEMORANDUM TO THE DOCKET CLERK: pretrial telephone conference re: settlement status - settled. (pl, ) (Entered: 04/16/2004)
04/13/2004		Minute Entry for proceedings held before Judge Debra C. Freeman : Pretrial Telephone Conference held on 4/13/2004. (pl, ) (Entered: 04/16/2004)

04/16/2004	20	ORDER OF DISCONTINUANCE without prejudice and without costs. (Signed by Judge Laura Taylor Swain on 4/16/2004) (jp, ) (Entered: 04/19/2004)
06/30/2004	21	CONSENT JUDGMENT resolving all matters in this action. (Signed by Judge Laura Taylor Swain on 6/30/04) (ml, ) (Entered: 07/01/2004)
07/09/2004		Mailed notice of Right to Appeal to Attorney(s) of Record: Katherine Elizabeth Bissell, Roger H. Briton, Monique Joy Roberts, Paul J. Siegel, Saul D. Zabell. (snu, ) (Entered: 07/09/2004)
08/02/2004	22	STIPULATION AND ORDER OF DISMISSAL as to Elmostehi with prejudice and without costs. (Signed by Judge Laura Taylor Swain on 7/30/04) (ml, ) (Entered: 08/03/2004)

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