

CLOSED, LEAD

**U.S. District Court**  
**Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.0.3] (Albany)**  
**CIVIL DOCKET FOR CASE #: 1:00-cv-01478-DNH-RFT**

EEOC, et al v. Rotary Corporation, et al  
Assigned to: Judge David N. Hurd  
Referred to: Magistrate Judge Randolph F. Treece  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/28/2000  
Date Terminated: 08/25/2004  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****Equal Employment Opportunity  
Commission**

represented by **David L. Barkey**  
Anti - Defamation League  
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**Intervenor Plaintiff**

**Margaret Schnoop**

represented by **Kathleen M. Kiley**  
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Email: KKILEY@nycap.rr.com  
*LEAD ATTORNEY*  
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**Intervenor Plaintiff**

**Erin Blair**

represented by **Kathleen M. Kiley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Elizabeth Flores**

represented by **Kathleen M. Kiley**  
(See above for address)  
*LEAD ATTORNEY*  
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V.

**Defendant**

**Rotary Corporation**

represented by **Robert S. Catapano-Friedman**  
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**Consol Defendant**

**Keith Barry**represented by **Sanford Soffer**

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**Intervenor Defendant****Alan Makarwich**represented by **John T. Casey, Jr.**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/2000	1	COMPLAINT filed; ; Service deadline 11/28/00 for Rotary Corporation (wbl) Modified on 10/02/2000 (Entered: 09/29/2000)
09/28/2000		SUMMONS(ES) issued for Rotary Corporation (wbl) (Entered: 09/29/2000)
09/28/2000		Filing Order Issued; Conference set before Magistrate Judge Ralph W. Smith in Albany, Status Conference at 12:00 1/17/01 , Deadline for filing Case Management Plan, 1/2/01 (wbl) (Entered: 09/29/2000)
10/11/2000	2	MOTION by Atty. Thomas DeLorenzo on behalf of movant Margaret Schnoop to Intervene , Hearing set for 9:30 11/2/00 , Response Deadline 10/19/00 Motion returnable before Mag. Judge: Smith (fce) (Entered: 10/16/2000)
10/11/2000	3	AFFIDAVIT IN SUPPORT by Thomas DeLorenzo on behalf of movant Margaret Schnoop Re: [2-1] motion to Intervene. (fce) (Entered: 10/16/2000)
10/11/2000	4	MEMORANDUM OF LAW by movant Margaret Schnoop in support of [2-1] motion to Intervene. (fce) (Entered: 10/16/2000)
10/13/2000	5	MOTION by movant Margaret Schnoop Amends Motion Hearing [2-1] motion to Intervene , Amends Response to Motion [2-1] motion to Intervene , Hearing reset for 9:30 on 12/7/00 , Response Deadline reset to 11/23/00. (fce) (Entered: 10/16/2000)
11/17/2000	6	AFFIDAVIT IN OPPOSITION by Robert Catapano-Friedman on behalf of Rotary Corporation Re: [2-1] motion to Intervene. (fce) (Entered: 11/17/2000)

11/17/2000	7	MEMORANDUM OF LAW by Rotary Corporation in opposition to [2-1] motion to Intervene. (fce) (Entered: 11/17/2000)
11/20/2000	8	NOTICE from USMJ Smith to all Counsel re: that the civil case mgmt. plan must be filed no later than 5 business days prior to the scheduled date of the conference. (fce) (Entered: 11/20/2000)
11/21/2000	9	ORDER, granting Margaret Schoop Leave to File reply to the papers in opposition filed by Rotary Corp. ; letter of 11/20/00 from Schoop's counsel shall be filed and deemed her reply. ( signed by Magistrate Judge Ralph W. Smith Jr. on 11/21/00) Date Entered: 11/21/00 (fce) (Entered: 11/21/2000)
11/21/2000	10	REPLY Brief by Kathleen Kiley on behalf of Margaret Schnoop to response to the Memorandum of Law of deft. Rotary Corp. in opposition to [2-1] motion to Intervene. (fce) (Entered: 11/21/2000)
11/29/2000	11	ANSWER to Complaint by Rotary Corporation (Attorney Robert Catapano-Friedman). (fce) (Entered: 11/29/2000)
12/15/2000	12	DECISION & ORDER granting [2-1] motion by Margaret Schnoop to intervene ( signed by Magistrate Judge Ralph W. Smith Jr. on 12/15/00) Date Entered: 12/15/00 (fce) (Entered: 12/15/2000)
01/04/2001	13	LETTER REQUEST by Robert Catapano-Friedman and ORDER of USMJ Smith granted to adjourn the Status Conference pending disposition of motions; Ms. Schoop will be allowed 14 days after today to file and serve an amended complaint; Rotary Corp. and K. Barry will have 14 days after the date they are served with the amended complaint to file and serve their motions to dismiss. ( signed by Magistrate Judge Ralph W. Smith Jr. on 1/4/01) (fce) (Entered: 01/05/2001)
01/19/2001	14	ORDERED that this action be consolidated w/case 1:00-cv-1478 being the lead case and 1:01-cv-0062 being the member case ; and ORDERED that the caption in the lead case be amended to show Margaret Schnoop as an intervenor-plaintiff. ( signed by Magistrate Judge Ralph W. Smith Jr. on 1/19/01) (fce) (Entered: 01/22/2001)
01/19/2001		Consolidated Lead Case: member case 1:01-cv-0062. (fce) (Entered: 01/24/2001)
01/23/2001	15	LETTER from Robert S. Catapano-Friedman on behalf of Rotary Corporation pursuant to Local Rule 7.1(b) regarding Motion: to dismiss; Date Served upon counsel: 1/22/01 (fce) (Entered: 01/24/2001)
01/23/2001	16	LETTER from Sanford Soffer on behalf of Keith Barry pursuant to Local Rule 7.1(b) regarding Motion: to dismiss; Date Served upon counsel: 1/22/01 (fce) (Entered: 01/24/2001)
01/23/2001	19	This motion was received by the court on 2/22/01, but considered filed as of 1/23/01, pursuant to the CJRA Reporting requirements instituted March 1, 2000. MOTION by Rotary Corporation to Dismiss , Hearing set for 10:00 3/23/01 Motion returnable before Judge: Hurd in Albany. (fce) (Entered: 02/23/2001)
01/23/2001	25	This motion was received by the court on 2/22/01, but considered filed as of 1/23/01, pursuant to the CJRA Reporting requirements instituted March 1, 2000. MOTION by Keith Barry to Dismiss , Hearing set for 10:00 3/23/01 Motion

		returnable before Judge: Hurd in Albany. (fce) (Entered: 02/23/2001)
02/02/2001	17	NOTICE of attorney appearance for Equal Employment Com by Louis Graziano (fce) (Entered: 02/05/2001)
02/14/2001	18	LETTER from Kathleen Kiley on behalf of Margaret Schnoop pursuant to Local Rule 7.1(b) regarding opposition to defts' motion to dismiss. Date Served upon counsel: 2/13/01 (fce) (Entered: 02/14/2001)
02/22/2001	20	AFFIDAVIT IN SUPPORT by Robert Catapano-Friedman on behalf of Rotary Corporation Re: [19-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	21	MEMORANDUM OF LAW by Rotary Corporation in support of [19-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	22	AFFIDAVIT IN OPPOSITION by Kathleen Kiley on behalf of Margaret Schnoop Re: [19-1] motion to Dismiss. (fce) Modified on 02/23/2001 (Entered: 02/23/2001)
02/22/2001	23	MEMORANDUM OF LAW by Margaret Schnoop in opposition to [19-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	24	REPLY MEMORANDUM OF LAW by Rotary Corporation to response to [19-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	26	AFFIDAVIT IN SUPPORT by Robert Catapano-Friedman on behalf of Keith Barry Re: [25-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	27	MEMORANDUM OF LAW by Keith Barry in support of [25-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	28	AFFIDAVIT IN OPPOSITION by Kathleen Kiley on behalf of Margaret Schnoop Re: [25-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	29	MEMORANDUM OF LAW by Margaret Schnoop in opposition to [25-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
02/22/2001	30	REPLY MEMORANDUM OF LAW by Keith Barry to response to [25-1] motion to Dismiss. (fce) (Entered: 02/23/2001)
03/07/2001	31	Copy of clerk's notice to parties: defts' [19-1] and [25-1] motions to Dismiss, returnable on 3/23/01 in Albany, are set for 10:30 a.m. (cbm) (Entered: 03/07/2001)
03/26/2001	32	Minute entry: 3/23/01 Motion Calendar in Albany, New York before Judge Hurd. App. Louis Graziano, Thomas DeLorenzo & Kathleen Kiley for pltf, Robert Friedman & Sanford Soffer. [25-1] motion to Dismiss taken under advisement, [19-1] motion to Dismiss taken under advisement. Ct. to issue written decision. Court Reporter/ECRO: Vicky Theleman (cmr) (Entered: 03/26/2001)
03/29/2001	33	MOTION by Rotary Corporation to Supplement the Record , Hearing set for 10:00 4/27/01 , Response Deadline 4/13/01 , Reply to Response Deadline 4/20/01 Motion returnable before Judge Hurd (fce) (Entered: 03/29/2001)
03/29/2001	34	Letter Brief of Atty. Catapano-Friedman on behalf of Rotary Corporation Re: [33-1] motion to Supplement the Record (fce) (Entered: 03/29/2001)

04/02/2001	35	Letter-brief by Rotary Corporation in support of [33-1] motion to Supplement the Record (cbm) (Entered: 04/03/2001)
04/10/2001	36	Letter brief of Kathleen M. Kiley on behalf of the Intervening plaintiff in response to defendants' letter brief in support of [33-1] motion to Supplement the Record (fce) (Entered: 04/10/2001)
04/11/2001	37	Copy of clerk's Notice to counsel: Motion Hearing re-scheduled for 10:30 on 4/26/01 in Albany re: deft Rotary Corp.'s [33-1] motion to Supplement the Record (cbm) (Entered: 04/11/2001)
04/18/2001	38	REPLY by Rotary Corporation, Rotary Corporation, Keith Barry to response to [33-1] motion to Supplement the Record (fce) (Entered: 04/19/2001)
04/19/2001	39	REQUEST of Atty. Catapano and ORDER, for an order granting defendants leave to supplement the Record on Short Notice to include Defendant's initial brief and reply brief and reply brief and Intervening Plaintiff's response brief filed in connection with this motion ( signed by Judge David N. Hurd ) (fce) (Entered: 04/19/2001)
05/01/2001	40	Minute entry: 4/26/01 Motion Calendar in Albany, NY before Judge Hurd. App. Louis Graziano & Kathleen Kiley for pltf, Robert Friedman & Sanford Soffer for defts.[33-1] motion to Supplement the Record taken under advisement, [25-1] motion to Dismiss taken under advisement, [19-1] motion to Dismissi taken under advisement. Ct. to issue written decision. Court Reporter/ECRO: Bonnie Buckley (cmr) (Entered: 05/01/2001)
05/21/2001	41	MOTION to Intervene by Elizabeth Flores, Erin Blair , Hearing set for 9:30 on 6/22/01, Response Deadline 6/8/01; Motion returnable before Mag. Judge: Smith [motion is on submit] (fce) (Entered: 05/21/2001)
05/21/2001	41	AFFIDAVIT IN SUPPORT by Kathleen Kiley on behalf of Elizabeth Flores, Erin Blair Re: [41-1] motion to Intervene by Elizabeth Flores, Erin Blair. (fce) (Entered: 05/21/2001)
05/21/2001	42	MEMORANDUM OF LAW by Elizabeth Flores, Erin Blair in support of [41-1] motion to Intervene by Elizabeth Flores, Erin Blair. (fce) (Entered: 05/21/2001)
05/21/2001	43	Scheduling Notice:, Motion Hearing set for 9:30 6/22/01 re: [41-1] motion to Intervene by Elizabeth Flores, Erin Blair is on submit w/o oral argument. (fce) (Entered: 05/22/2001)
05/30/2001	44	LETTER REQUEST of Robert S. Catapano-Friedman dated 5/29/01 and ORDER, to Extend Time , Motion Hearing reset for 9:30 7/6/01 re: [41-1] motion to Intervene by Elizabeth Flores, Erin Blair ( signed by Magistrate Judge Ralph W. Smith Jr., 5/30/01) (fce) (Entered: 05/31/2001)
06/01/2001	45	LETTER REQUEST by Robert S. Catapano-Friedman and ORDER, of USMJ Smith granted to reset Motion Hearing ddl. to 7/6/01 re: [41-1] motion to Intervene by Elizabeth Flores, Erin Blair (signed by Magistrate Judge Ralph W. Smith Jr. on 5/31/01) (fce) (Entered: 06/05/2001)
08/13/2001	<a href="#">46</a>	ORDER granting [25-1] motion to Dismiss, denying [19-1] motion to Dismiss, set Answer to amended complaint deadline to 8/24/01 for Rotary Corporation ( signed by Judge David N. Hurd ) Date Entered: 8/13/01 (fce) (Entered: 08/13/2001)

		08/13/2001)
08/22/2001	47	ANSWER by Rotary Corporation to complaint filed by Intervening Pltf. Margaret Schnoop. (fce) (Entered: 08/23/2001)
08/23/2001	48	ANSWER by Keith Barry to complaint filed by Intervening Pltf. Margaret Schnoop. (fce) (Entered: 08/23/2001)
09/25/2001	49	ORDER: case reassigned to Mag. Judge Treece due to Judge Smith's retirement; (Signed by Chief Judge F. J. Scullin Jr.) (fce) (Entered: 09/25/2001)
09/25/2001		CASE NO LONGER REFERRED TO Magistrate Judge Ralph W. Smith Jr. (fce) (Entered: 09/25/2001)
09/25/2001		CASE REFERRED to Magistrate Judge Randolph F. Treece (fce) (Entered: 09/28/2001)
10/18/2001	<a href="#">50</a>	MEMORANDUM-DECISION & ORDER granting [41-1] motion to Intervene by Elizabeth Flores, Erin Blair. (signed by Magistrate Judge Randolph F. Treece on 10/17/01) (fce) (Entered: 10/19/2001)
10/26/2001	51	Intervenor's COMPLAINT by Erin Blair, Elizabeth Flores against Rotary Corporation, Keith Barry and Alan Makarwich. (fce) (Entered: 10/29/2001)
10/26/2001		SUMMONS(ES) issued for Rotary Corporation, Keith Barry, Alan Makarwich. (fce) (Entered: 10/29/2001)
10/26/2001	51	DEMAND for jury trial by Erin Blair, Elizabeth Flores (fce) (Entered: 10/29/2001)
11/07/2001	52	ANSWER by Rotary Corporation to [51-1] intervenor complaint (fce) (Entered: 11/07/2001)
11/15/2001	53	ANSWER by Keith Barry to [51-1] intervenor complaint. (fce) (Entered: 11/15/2001)
11/27/2001	54	CERTIFICATE OF SERVICE by Joseph Marmo as to service of the notice of filing upon intervenor deft. Alan Makarwich Jr. on 11/8/01. (fce) (Entered: 11/27/2001)
11/27/2001	55	ANSWER by Alan Makarwich to [51-1] intervenor complaint. (fce) (Entered: 11/27/2001)
12/21/2001	56	Scheduling Notice:, reset Filing Order Deadlines: Conference set before Magistrate Judge Randolph F. Treece in Albany, Status Conference at 11:00 1/17/02 , Deadline for filing Case Management Plan, 1/7/02 (rzh) (Entered: 12/21/2001)
01/04/2002	57	Proposed Joint Civil Case Management Plan Submitted. (fce) (Entered: 01/04/2002)
01/17/2002	58	Minute entry: Court Reporter/ECRO: none; Rule 16 Conf held; certain dates set; order to be mailed to counsel. (rzh) (Entered: 01/23/2002)
01/23/2002	59	Uniform Pretrial Order; Length of Trial: 7 days; Trial Location: Albany; Plaintiffs shall have 20 depositions before making application to the Court for additional depositions and defendants may have 20 depositions before they need

		to make an applications to the Court for further depositions; Joining of Parties Deadline 3/19/02 ; Amending of Pleadings Deadline 3/19/02 ; Discovery Deadline 3/31/03 ; Motion Filing Deadline 6/30/03 ; ( Signed by: Magistrate Judge Randolph F. Treece ) (rzh) (Entered: 01/24/2002)
04/19/2002	<a href="#">60</a>	STIPULATION/ORDER governing the production and use of confidential material. (signed by Magistrate Judge Randolph F. Treece on 4/19/02) (fce) (Entered: 04/22/2002)
05/01/2002	<a href="#">61</a>	REJECTION ORDER as to the return of deft. Rotary Corp.'s Rule 26(a) disclosures. (signed by Magistrate Judge Randolph F. Treece on 5/1/02) Date Entered: 5/1/02 (fce) (Entered: 05/01/2002)
08/23/2002	<a href="#">62</a>	ORDER to the return of deft A. Makarwich's response to first request for the prod. of documents. (signed by Magistrate Judge Randolph F. Treece on 8/23/02) (fce) (Entered: 08/26/2002)
09/13/2002	63	NOTICE/Status Report request letter. (fce) (Entered: 09/13/2002)
09/23/2002	64	STATUS REPORT by Equal Employment Com (fce) (Entered: 09/24/2002)
11/29/2002	65	Change of Address received. Effective date: 11/29/02 from/for plaintiff Equal Employment Com New Address: 33 Whitehall Street, 5th Floor, New York, NY 10004; telephone: 212-336-3698, fax: 212-336-3623. (fce) (Entered: 12/02/2002)
05/20/2003	74	**This motion was rec'd by the Court on 8/8/03, but is considered filed as of 5/20/03, pursuant to the CJRA reporting requirements instituted 3/1/00** MOTION by Keith Barry for Summary Judgment , Hearing set for 10:00 9/26/03 Motion returnable before Judge/Mag. Judge: Hurd in Albany, NY (wjg) (Entered: 08/08/2003)
05/20/2003	80	**This motion was rec'd by the Court on 8/8/03, but is considered filed as of 5/20/03, pursuant to the CJRA reporting requirements instituted 3/1/00** MOTION by Rotary Corporation for Summary Judgment , Hearing set for 10:00 9/26/03 Motion returnable before Judge/Mag. Judge: Hurd in Albany, NY (wjg) (Entered: 08/08/2003)
05/21/2003	66	LETTER on behalf of Keith Barry pursuant to Local Rule 7.1(b) regarding Motion: Summary Judgment Date Served upon counsel: 5/20/03 (tab) (Entered: 05/21/2003)
05/22/2003	67	LETTER on behalf of Rotary Corporation pursuant to Local Rule 7.1(b) regarding Motion: Summary Judgment Date Served upon counsel: 5/22/03 (tab) (Entered: 05/22/2003)
05/23/2003	70	**This motion was rec'd by the Court on 8/8/03, but is considered filed as of 5/23/03, pursuant to the CJRA reporting requirements instituted 3/1/00** MOTION by Alan Makarwich for Summary Judgment , Hearing set for 10:00 9/26/03 Motion returnable before Judge/Mag. Judge: Hurd in Albany, NY (wjg) (Entered: 08/08/2003)
06/09/2003	<a href="#">68</a>	Letter REQUEST dd 6/6/03 and ORDER by Thomas Delorenzo, Esq for Elizabeth Flores, requesting an extension of the Motion Filing deadline to 8/8/03 since Kathleen Kiley, Esq, who was handling case, is no longer with firm; So Ordered. (signed by Judge David N. Hurd) (see) (Entered: 06/10/2003)



07/11/2003	69	LETTER dated 7/10/03 by Thomas E. DeLorenzo, Esq., on behalf of Margaret Schnoop, Erin Blair, Elizabeth Flores pursuant to Local Rule 7.1(b) regarding Motion: opposition to m/s/j Date Served upon counsel: 7/10/03 (jel) (Entered: 07/15/2003)
08/08/2003	70	AFFIDAVIT by john Casey for Alan Makarwich Re: support of [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	70	AFFIDAVIT by Alan Makarwich Re: support of [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	70	MEMORANDUM OF LAW by Alan Makarwich in support of [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	71	AFFIDAVIT IN OPPOSITION by Thomas DeLorenzo for Elizabeth Flores, Erin Blair, Margaret Schnoop Re: [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	72	MEMORANDUM OF LAW by Elizabeth Flores, Erin Blair, Margaret Schnoop in opposition to [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	73	REPLY AFFIRMATION by Alan Makarwich to response to [70-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	74	AFFIDAVIT by Keith Barry Re: support of [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	74	AFFIDAVIT by Sanford Soffer for Keith Barry Re: support of [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	74	MEMORANDUM OF LAW by Keith Barry in support of [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	75	AFFIDAVIT IN OPPOSITION by Thomas DeLorenzo for Elizabeth Flores, Erin Blair, Margaret Schnoop Re: [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	76	AFFIDAVIT by margaret Schnoop for Elizabeth Flores, Erin Blair, Margaret Schnoop Re: opposition to [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	77	MEMORANDUM OF LAW by Elizabeth Flores, Erin Blair, Margaret Schnoop in opposition to [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	78	REPLY MEMORANDUM OF LAW by Keith Barry in further support of [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	79	REPLY AFFIDAVIT by Keith Barry to response to [74-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)
08/08/2003	81	AFFIDAVIT by Robert Catapano-Friedman for Rotary Corporation Re: support of [80-1] motion for Summary Judgment (wjg) (Entered: 08/08/2003)

08/08/2003	82	AFFIDAVIT by Sanford Soffer for Rotary Corporation Re: support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	83	AFFIDAVIT by Keith Barry for Rotary Corporation Re: support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	84	AFFIDAVIT by Saralyn Tootle for Rotary Corporation Re: support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	85	AFFIDAVIT by Donald Fountain for Rotary Corporation Re: support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	86	PLTF'S RESPONSES TO DEFTS' INTERROGATORIES and various deposition transcripts submitted by Rotary Corp. in support of [80-1] Motion for summary judgment. (wjpg) (Entered: 08/08/2003)
08/08/2003	87	Statement of Material Facts in Support of [80-1] motion for Summary Judgment filed by Rotary Corporation (wjpg) (Entered: 08/08/2003)
08/08/2003	88	MEMORANDUM OF LAW by Rotary Corporation in support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	89	MEMORANDUM OF LAW by Elizabeth Flores, Erin Blair, Margaret Schnoop in opposition to Point II of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	90	MEMORANDUM OF LAW by Equal Employment Com in opposition to [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	91	Statement of Material Facts in response/opposition to [80-1] motion for Summary Judgment filed by Equal Employment Com (wjpg) (Entered: 08/08/2003)
08/08/2003	92	AFFIDAVIT IN OPPOSITION by Louis Graziano for Equal Employment Com Re: [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	93	AFFIDAVIT IN OPPOSITION by Joseph Alvarado for Equal Employment Com Re: [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	94	AFFIDAVIT IN OPPOSITION by Elizabeth Cadle for Equal Employment Com Re: [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	95	AFFIDAVIT IN OPPOSITION by Gina Lopez Summa for Equal Employment Com Re: [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	96	REPLY AFFIDAVIT by Robert Catapano-Friedman for Rotary Corporation to response to [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	97	REPLY AFFIDAVIT by Saralyn Tootle for Rotary Corporation to response to [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)
08/08/2003	98	Reply Statement of Material Facts in further Support of [80-1] motion for Summary Judgment filed by Rotary Corporation (wjpg) (Entered: 08/08/2003)
08/08/2003	99	REPLY MEMORANDUM OF LAW by Rotary Corporation in further support of [80-1] motion for Summary Judgment (wjpg) (Entered: 08/08/2003)

09/15/2003	100	Scheduling Notice advising counsel that the following Motion Hearings have been reset for 10:30 am on 9/26/03 with Oral Argument in Albany, NY before Judge Hurd: [70-1] motion for Summary Judgment, [80-1] motion for Summary Judgment, and [74-1] motion for Summary Judgment . (Signed by CRD Craig Minor) (see) Modified on 09/19/2003 (Entered: 09/16/2003)
09/26/2003	<a href="#">101</a>	Minute entry of a Motion Hearing before Judge Hurd on 9/26/03, APPR: Louis Graziano, Esq for the pltf; Dana Boniewski, Esq for intervenor pltf; Robert Catapano-Friedman, Esq for deft Rotary Corp.; Sanford Soffer, Esq for deft Barry; John Casey, Esq for deft Markarwich. Deft Barry's [74-1] motion for Summary Judgment is under advisement-DECISION RESERVED; deft Rotary Corp's [80-1] motion for Summary Judgment under advisement-DECISION RESERVED; deft Markarwich's [70-1] motion for Summary Judgment under advisement-DECISION RESERVED. Court to issue writte decision. [10:25-11:05]; Court Clerk: Craig Minor; Court Reporter/ECRO: Theresa Berical (see) (Entered: 09/30/2003)
12/29/2003	<a href="#">102</a>	ORDER granting in part and denying in part [70] Motion for Summary Judgment-that deft Alan Makarwich's motion for Summary Judgment is GRANTED w/respect to all Title VII claims, and w/respect to Elizabeth Flores's national origin discrimination claim under the NYHRL, and DENIED in all other respects; granting in part and denying in part [74] Motion for Summary Judgment-deft Keith Barry's motion for summary judgment is GRANTED w/respect to all remaining Title VII claims, and w/respect to Elizabeth Flores's national origin discrimination claim under the NYHRL, and DENIED in all other respects; granting in part and denying in part [80] Motion for Summary Judgment-deft Rotary Corp's motion for summary judgment is GRANTED w/respect to Elizabeth Flores's national origin discrimination claims under Title VII and the NYHRL, and DENIED in all other respects. . Signed by Judge David N. Hurd on 12/29/2003. (see, ) (Entered: 12/30/2003)
01/09/2004	<a href="#">103</a>	Letter request from Atty Catapano-Friedman and ORDER extending Trial Ready Deadline to 3/15/2004. Signed by Judge David N. Hurd. (cbm, ) (Entered: 01/09/2004)
01/15/2004	<a href="#">104</a>	ORDER Settlement Conference set for 3/19/2004 10:00 AM in Albany before Magistrate Judge Randolph F. Treece.. Signed by Judge Randolph F. Treece on 1/15/04. (wjg, ) (Entered: 01/17/2004)
03/09/2004		CLERK'S CORRECTION OF DOCKET ENTRY; Removed document numbers 105, 107-110 from docket at direction of MJ Treece's chambers; no entries will replace these missing numbers. (wjg, ) (Entered: 03/09/2004)
03/09/2004		CLERK'S CORRECTION OF DOCKET ENTRY. Removed document #106 per direction of MJ Treece's Chamber's. Removed document number, will not be replaced. (ban ) (Entered: 03/09/2004)
03/24/2004	<a href="#">105</a>	NOTICE of Hearing: Final Pretrial Conference set for 5/17/2004 09:30 AM in Utica before Judge David N. Hurd w/Jury Selection and Trial to commence immediately thereafter on 5/17/2004. Parties directed to e-file pretrial papers on or before 5/3/2004. (see) Modified on 3/24/2004, served non-CM/ECF filers by mail on 3/24/2004. (see) (Entered: 03/24/2004)

04/06/2004	<a href="#">106</a>	LETTER REQUEST AND ORDER denying plaintiff's request for a settlement conference . Signed by Judge Randolph F. Treece on 4/5/04. (tab, ) (Entered: 04/06/2004)
04/30/2004	<a href="#">107</a>	Court Ordered Voir Dire by Rotary Corporation. (Attachments: # <a href="#">1</a> Trial Exhibit List# <a href="#">2</a> Proposed Jury Instructions# <a href="#">3</a> Trial Law Memorandum# <a href="#">4</a> Proposed Verdict Sheet# <a href="#">5</a> Proposed Voir Dire Questions# <a href="#">6</a> Trial Witness List)(Catapano-Friedman, Robert) (Entered: 04/30/2004)
05/03/2004	<a href="#">108</a>	Letter from equal employment opportunity commission for Keith Barry, Erin Blair, Elizabeth Flores, Alan Makarwich, Rotary Corporation, Margaret Schnoop requesting that the Court allow the parties until 5/28/2004 to submit the Consent Decree. (Graziano, Louis) Modified on 5/4/2004, entered in text what counsel is requesting. (see, ). (Entered: 05/03/2004)
05/04/2004		Atty. Graziano's letter request of 5/3/04 docket #108 is hereby granted to the extent that the consent decree must be executed and filed by 5/26/04 or the parties must file their pretrial submissions on 5/26/04. Trial is hereby adjourned to 6/1/04 @ 9:30 a.m. in Utica, NY pending submission of pretrial papers per oral order of Judge David N. Hurd. (cmr, ) (Entered: 05/04/2004)
05/04/2004		Set/Reset Trial Management Order Deadlines: Jury Trial set for 6/1/2004 09:30 AM in Utica before Judge David N. Hurd. (cmr, ) (Entered: 05/04/2004)
05/25/2004	<a href="#">109</a>	SETTLEMENT AGREEMENT <i>EEOC Consent Decree</i> by Rotary Corporation. (Catapano-Friedman, Robert) (Entered: 05/25/2004)
05/26/2004	<a href="#">110</a>	Letter from Robert S. Catapano-Friedman for Rotary Corporation requesting Approval of Consent Decree. (Attachments: # <a href="#">1</a> Consent Decree# <a href="#">2</a> Exhibit Barry Promissory Note)(Catapano-Friedman, Robert) (Entered: 05/26/2004)
05/27/2004	<a href="#">111</a>	SETTLEMENT AGREEMENT <i>Consent Decree Makarwich Signature</i> by Rotary Corporation. (Catapano-Friedman, Robert) (Entered: 05/27/2004)
06/07/2004	<a href="#">112</a>	SETTLEMENT AGREEMENT <i>Consent Decree Blair Signature</i> by Rotary Corporation. (Catapano-Friedman, Robert) (Entered: 06/07/2004)
06/10/2004	<a href="#">113</a>	SETTLEMENT AGREEMENT <i>Flores Signature</i> by Rotary Corporation. (Catapano-Friedman, Robert) (Entered: 06/10/2004)
08/12/2004		NOTICE of Hearing:Telephone Settlement Conference set for 8/19/2004 10:30 AM before Judge David N. Hurd. All counsel for the parties are hereby directed to participate in the teleconference as failure to do so may result in a trial date being issued. Judge Hurd will be available at 315-793-9571. Attorney Friedman must make the necessary arrangements for completion of the conference call. Filing a stipulation of discontinuance signed by all counsel for parties involved prior to 8/17/04 by 12:00 noon will cancel conference. Any questions, contact Mr. Craig B. Minor at 315-793-8271.(cmr, ) (Entered: 08/12/2004)
08/16/2004	<a href="#">114</a>	Letter from Rotary Corporation for Rotary Corporation requesting Approval of Consent Decrees and Adjournment of Settlement Conference. (Attachments: # <a href="#">1</a> Proposed Order/Judgment Trustee in Bankruptcy Consent to Consent Decree)(Catapano-Friedman, Robert) (Entered: 08/16/2004)

08/17/2004	<a href="#">115</a>	Letter from Robert S. Catapano-Friedman for Rotary Corporation requesting Approval of Consent Decrees. (Attachments: # <a href="#">1</a> Proposed Order/Judgment Consent Decree between EEOC and Rotary# <a href="#">2</a> Proposed Order/Judgment Consent Decree Between Intervening Plaintiffs and Defendants# <a href="#">3</a> Exhibit Barry Promissory Note Exhibit to Intervening Plaintiff Consent Decree)(Catapano-Friedman, Robert) (Entered: 08/17/2004)
08/25/2004	<a href="#">116</a>	CONSENT DECREE as to intervenor-plaintiffs. Signed by Judge David N. Hurd on 8/24/04. (cbm, ) (Entered: 08/25/2004)
08/25/2004	<a href="#">117</a>	CONSENT DECREE as to EEOC and Rotary Corporation. Signed by Judge David N. Hurd on 8/24/04. (cbm, ) (Entered: 08/25/2004)
09/02/2004	<a href="#">118</a>	STIPULATION OF DISCONTINUANCE by Margaret Schnoop. (Boniewski, Dana) (Entered: 09/02/2004)
09/08/2004	<a href="#">119</a>	STIPULATION of DISCONTINUANCE AND ORDER w/prejudice and w/o costs or attys' fees to either party as against the other.Signed by Judge David N. Hurd on 9/8/2004. (see) Modified on 9/8/2004, served non-CM/ECF participants via US Mail on 9/8/2004. (see, ). (Entered: 09/08/2004)

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