

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-10074-AGS-FM**

E.E.O.C. v. SPC Services, Inc.  
Assigned to: Judge Allen G. Schwartz  
Referred to: Magistrate Judge Frank Maas  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/29/1999  
Date Terminated: 09/12/2000  
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**  
U.S. Equal Employment Opportunity  
Comm., N.Y. District Off.  
33 Whitehall Street  
New York, NY 10004-2112  
(212) 336-3620  
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*LEAD ATTORNEY*

**James L. Lee**  
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*LEAD ATTORNEY*

**Sunu P. Chandy**  
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V.

**Defendant**

**SPC Services, Inc.**

represented by **Andrew M. Kofsky**  
Mayer, Brown, Rowe & Maw  
1675 Broadway  
New York, NY 10019-5820  
(212) 506-2500

*LEAD ATTORNEY***Robert J. Ward**

Mayer, Brown, Rowe & Maw,LLP(NYC)  
 1675 Broadway  
 New York, NY 10019  
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 Fax: (212) 262-1910  
 Email: rward@mayerbrownrowe.com  
*LEAD ATTORNEY*

**Movant****Edward Eng***TERMINATED: 12/15/1999*represented by **Paula Johnson Kelly**

Goodstein & West, Esqs.  
 56 Harrison Street, Suite 401  
 New Rochelle, NY 10801  
 (914)632-8382  
 Fax: (914)632-1833  
 Email: goodwest@bestweb.net  
*TERMINATED: 12/15/1999*  
*LEAD ATTORNEY*

**Intervenor Defendant****SPC Services, Inc.**

represented by **Andrew M. Kofsky**  
 (See above for address)  
*LEAD ATTORNEY*

**Robert J. Ward**

(See above for address)  
*LEAD ATTORNEY*

**Intervenor Defendant****Sally Bates Donaghy**

represented by **Andrew M. Kofsky**  
 (See above for address)  
*LEAD ATTORNEY*

**Robert J. Ward**

(See above for address)  
*LEAD ATTORNEY*

**Intervenor Plaintiff****Edward Eng**

represented by **Paula Johnson Kelly**  
 (See above for address)  
*LEAD ATTORNEY*

Date Filed	#	Docket Text

09/29/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ USA (bm) (Entered: 09/30/1999)
09/29/1999		Magistrate Judge Maas is so Designated. (bm) (Entered: 09/30/1999)
10/04/1999	2	Order setting initial pre-trial conference for 12/6/99 at 12:00 p.m., in Courtroom 14C at 500 Pearl Street. ( signed by Judge Allen G. Schwartz ) (sac) (Entered: 10/05/1999)
11/19/1999	3	NOTICE OF MOTION by Edward Eng; for an Order granting leave to intervene as of right, purs. to Rule 24(a)(1) of the FRCP and 42 U.S.C. 2000e-5(f)(1), as incorporated by 42 U.S.C. 12117(a) ; for an Order amending the complaint, purs. to Rule 15(a) of the FRCP ; Return date not indicated. Declaration of Paula Johnson Kelly in support of motion attached. (jp) (Entered: 11/22/1999)
11/19/1999	4	MEMORANDUM OF LAW by Edward Eng in support of [3-1] motion for an Order granting leave to intervene as of right, purs. to Rule 24(a)(1) of the FRCP and 42 U.S.C. 2000e-5(f)(1), as incorporated by 42 U.S.C. 12117(a), [3-2] motion for an Order amending the complaint, purs. to Rule 15(a) of the FRCP (jp) (Entered: 11/22/1999)
11/23/1999	5	Memo-Endorsement on letter addressed to Judge Schwartz from Paula Johnson Kelly, dated 11/17/99. Re: counsel for Edward Eng requests the Court's permission to attend the conference scheduled for 12/6/99 at 12:00 noon and that Judge Schwartz consider same also as a pre-motion conference on Mr. Eng's motion to intervene and to amend. Application granted . ( signed by Judge Allen G. Schwartz ); Copies mailed. (emil) (Entered: 11/29/1999)
12/07/1999	6	Memo endorsed on motion (copy); granting [3-1] motion for an Order granting leave to intervene as of right, purs. to Rule 24(a)(1) of the FRCP and 42 U.S.C. 2000e-5(f)(1), as incorporated by 42 U.S.C. 12117(a); granting [3-2] motion for an Order amending the complaint, purs. to Rule 15(a) of the FRCP ( signed by Judge Allen G. Schwartz ); Copies mailed. (cd) (Entered: 12/08/1999)
12/08/1999	7	SCHEDULING ORDER: that discovery is to close on 2/29/00; The next pretrial conference is set for 3/13/00 at 12:00 noon; The parties are instructed pursuant to Rule 16, FRCP, to meet and pursue settlement discussions, and plaintiff's counsel is directed to advise chambers. (signed by Judge Allen G. Schwartz); Copies mailed. (ri) (Entered: 12/09/1999)
12/15/1999	8	Intervenor's COMPLAINT by Edward Eng against SPC Services, Inc. and Sally Bates Donaghy. (sn) Modified on 12/21/1999 (Entered: 12/21/1999)
12/28/1999	9	Memo-Endorsement on letter addressed to Judge Schwartz from Sunu P. Chandy, and Paula John, dated 12/22/99; granting plaintiff EEOC and intervening Pla. Edward Eng's request for an extension of two weeks from the date of service to serve responses to defendant's late requests . ( signed by Judge Allen G. Schwartz ); Copies mailed. (pl) Modified on 01/04/2000 (Entered: 12/29/1999)
01/21/2000	10	Memo-Endorsement on letter addressed to Judge Schwartz from Andrew M. Kofsky, dated 1/14/00; granting SPC's request for an extension of time to file defendant's answer to the complaint through 1/21/00 ; Also granting defendant an extension of time to serve defendant's initial discovery requests and responses to plaintiff's initial discovery requests through 1/21/00 . ( signed by Judge Allen G.

		Schwartz ); Copies mailed. (ri) Modified on 01/24/2000 (Entered: 01/24/2000)
01/25/2000	11	RULE 1.9 CERTIFICATE filed by SPC Services, Inc. (Rec'd in N.B. 1/25/00 5:14 PM) (sn) (Entered: 01/27/2000)
01/25/2000	12	ANSWER to Complaint by SPC Services, Inc. (Attorney Robert J. Ward, Andrew M. Kofsky from the Firm: Mayer, Brown & Platt). (Rec'd in N.B. 1/25/00 5:14 PM) (sn) Modified on 01/27/2000 (Entered: 01/27/2000)
01/25/2000	13	ANSWER to Complaint by SPC Services, Inc., Sally Bates Donaghy (Attorney Robert J. Ward, Andrew M. Kofsky from the Firm: Mayer, Brown & Platt). (Rec'd in N.B. 1/25/00 5:14 PM) (sn) (Entered: 01/27/2000)
06/05/2000	14	Memo-Endorsement on letter addressed to Judge Schwartz from Robert J. Ward, dated 5/26/00; granting the parties joint requests that the completion of all depositions in this case by 6/5/00 and have set aside 6/6/00 in the event that these depositions are not completed on 6/5/00 ; reset fact discovery due for 6/6/00 ; also granting the parties requests for a brief adjournment of the conference before Your Honor on 6/5/00 until discovery in this case has been completed . ( signed by Judge Allen G. Schwartz ); Copies mailed. (pl) (Entered: 06/06/2000)
08/01/2000		Settlement Conference held before Magistrate Judge Frank Maas. Judge confers with each side separately. parties not able to reach a settlement. (jp) (Entered: 08/04/2000)
08/07/2000	15	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for settlement. ( signed by Judge Allen G. Schwartz ) Referred to Magistrate Judge Frank Maas. (sn) (Entered: 08/08/2000)
08/11/2000	16	Memo-Endorsement on letter addressed to Judge Schwartz from Sunu P. Chandy, dated 8/10/00; granting the parties an extension for submitting the pre-trial documents until Friday, 9/8/00. ( signed by Judge Allen G. Schwartz ); Copies mailed. (sac) (Entered: 08/15/2000)
09/12/2000	17	CONSENT DECREE; this Decree resolves all of the issues raised by EEOC Charge No. 160-98-2213 and the complaint filed by the EEOC in this case. Deft will provide a 2-hour anti-discrimination training for all staff and an additional 2 hours for management personnel, to be conducted by an outside consultant approved by the EEOC. Deft will complete this training within 1 month of the date of entry of this Decree, and will forward to EEOC a summary of the topics covered and a copy of the attendance sheet within 10 business days of completion of the training program. Within 5 business days of entry of this Decree, deft will post the Notice of non-discrimination attached as Exhibit A hereto. Deft will maintain and distribute to its employees the non-discrimination policy attached hereto as Exhibit B within 10 business days of entry of this Decree. Deft agrees to pay \$37,500 in compensatory damages to Mr. Eng within 10 business days of entry of this Decree. Deft agrees to forward to EEOC a copy of the endorsed check by Mr. Eng within 5 business days of receipt. Deft agrees that both it and its agents will not discriminate or retaliate against any individual for asserting her or his rights under Title VII. Deft agrees that both it and its agents further will not retaliate against any individual who has participated in this matter or asserted her or his rights under Title VII. Each party shall bear its own fees and costs incurred in this action. This Decree will remain in effect for 3 years from the date of entry. ( signed by Judge Allen G. Schwartz ) Entered On Docket: 9/14/00. (sn)

		(Entered: 09/14/2000)
09/12/2000		Case closed. (sn) (Entered: 09/14/2000)
10/10/2000	18	STIPULATION and ORDER; the parties agree to modify paragraph 7 of the Consent Decree entered on 9/12/00 as follows: Deft agrees to pay \$37,500 in compensatory damages to Mr. Eng by 10/16/00 by 5 PM. Deft agrees to forward to EEOC a copy of the endorsed check by Mr. Eng within 5 business days of receipt . ( signed by Judge Allen G. Schwartz ) (sn) (Entered: 10/11/2000)
10/25/2000	19	STIPULATION AND ORDER of dismissal of action with prejudice, purs to Rule 41(a) of the FRCP, with each party to bear its own attorneys' fees, costs and expenses; (signed by Judge Allen G. Schwartz) (djc) (Entered: 10/26/2000)

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