

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:97-cv-05142-RR-RLM**

Equal Employmnt Opp v. Staten Island Saving, et al
Assigned to: Judge Reena Raggi
Referred to: Magistrate-Judge Roanne L. Mann
Demand: \$0
Case in other court: 99-06011
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/08/1997
Date Terminated: 10/30/1998
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employmnt Oppoortunity
Commission**

represented by **Michael J. O'Brien**
7 World Trade Center, 18th Floor
New York, NY 10048
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Staten Island Savings Bank

represented by **Roger H. Briton**
Jackson Lewis, LLP
58 South Service Road
Suite 410
Melville, NY 11747
631-247-4609
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Defendant

Guardian Life Insurance Company

represented by **Frank C. Morris**
Epstein Becker & Green, P.C.
1227 25th, N.W.
Suite 700
Washington, DC 20037
(202) 861-4181
LEAD ATTORNEY
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Thomas J. Luz
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| Date Filed | # | Docket Text |
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| 09/08/1997 | 1 | COMPLAINT filed and summons(es) issued for Staten Island Saving, Guardian Life Insur (Chin, Felix) (Entered: 09/09/1997) |
| 01/08/1998 | 4 | WAIVER OF SERVICE Returned Executed as to Guardian Life Insurance Co. on 11/12/97. Answer due on 1/11/98 for Guardian Life Insurance Co. Galeano, Sonia (Entered: 01/23/1998) |
| 01/13/1998 | 2 | LETTER dated 12/24/97 from Roger H. Briton to Michael J. O'Brien, Esq. confirming that the time within defendant, Staten Island Saving Bank, may move against the complaint has been adjourned to 1/16/98. The EEOC will respond to defendant's motion by 2/20/98 and the Bank will reply by 3/20/98. (Guzzi, Roseann) (Entered: 01/13/1998) |
| 01/16/1998 | 3 | LETTER dated 1/13/98 from Thomas J. Luz to Judge Raggi enclosing cover letter to counsel for plaintiff re: motion to dismiss. (Guzzi, Roseann) (Entered: 01/16/1998) |
| 02/13/1998 | 5 | LETTER dated 1/16/98 from Roger H. Briton to Michael J. O'Brien, Esq., Trial Attorney, enclosing notice of motion to dismiss with accompanying memorandum of law. (Guzzi, Roseann) (Entered: 02/13/1998) |
| 02/13/1998 | 6 | STIPULATION dated 2/12/98 that plaintiff's papers in opposition to Guardian's motion to dismiss are to be served on counsel for defendants no later than 2/3/98, and Guardian's reply papers shall be served on counsel for plaintiff no later than 3/2/98. C/M (signed by Judge Reena Raggi) (Guzzi, Roseann) (Entered: 02/13/1998) |
| 02/13/1998 | 7 | LETTER dated 2/2/98 from Michael J. O'Brien to Frank C. Morris, Esq. and Ms. Jakubowski enclosing EEOC's memorandum of law in opposition to Guardian's motion to dismiss. (Guzzi, Roseann) (Entered: 02/13/1998) |
| 03/03/1998 | 9 | MOTION by Guardian Life Insurance Company to dismiss . Motion hearing . Declaration of William J. Milani, on behalf of defendant n support of defenant's motion to dismiss. Exhibit A-D. (Guzzi, Roseann) (Entered: 03/12/1998) |
| 03/03/1998 | 10 | MEMORANDUM by Guardian Life Insurance Company in support of defendant's [9-1] motion to dismiss. (Guzzi, Roseann) (Entered: 03/12/1998) |
| 03/03/1998 | 11 | AFFIDAVIT of Thomas J. Luz Re: in support of defendant's [9-1] motion to dismiss. (Guzzi, Roseann) (Entered: 03/12/1998) |
| 03/03/1998 | 12 | REPLY BRIEF by Guardian Life Insurance Company in further support of defendant's [9-1] motion to dismiss. (Guzzi, Roseann) (Entered: 03/12/1998) |

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| 03/03/1998 | 13 | PLAINTIFF'S MEMORANDUM of law in response to defendant Guardian Life's [9-1] motion to dismiss. (Guzzi, Roseann) (Entered: 03/12/1998) |
| 03/10/1998 | 8 | LETTER dated 2/20/98 from Michael J. O'Brien to Roger H. Briton, Esq. enclosing EEOC's memorandum of law in opposition to the Bank's motion to dismiss. (Guzzi, Roseann) (Entered: 03/10/1998) |
| 03/26/1998 | 14 | LETTER dated 3/13/98 from Michael J. O'Brien to Judge Raggi requesting an amended briefing schedule. Requesting the Court allow the EEOC until 4/15/98 to file a supplemental response brief to defendants' motion papers in light of Castellano, and that the Court allow defendants until 5/15/98 to file supplemental reply briefs. In light of the amended briefing schedule the Bank will not file a reply brief on 3/20/98. (Guzzi, Roseann) (Entered: 03/26/1998) |
| 03/26/1998 | | Endorsed order dated 3/19/98 on document #14 granting proposed briefing schedule. C/M (Signed by Judge Reena Raggi) (Guzzi, Roseann) (Entered: 03/26/1998) |
| 04/20/1998 | 15 | LETTER dated 4/15/98 from Michael J. O'Brien to Counsel that pursuant to Judge Raggi's rules enclosing the EEOC's supplemental response brief and transmittal affidavit of Michael J. O'Brien. (Guzzi, Roseann) (Entered: 04/20/1998) |
| 04/20/1998 | 16 | LETTER dated 4/9/98 from Sandra D. Hauser to Counsel confirming that the parties have agreed upon the revised scheduled for submission of papers: 6/12/98 Allstate's papers; 6/26/98 Chubb's papers; 8/14/98 defendants' responsive papers; 8/28/98 plaintiffs' reply papers. (Guzzi, Roseann) (Entered: 04/20/1998) |
| 05/15/1998 | 24 | SUPPLEMENTAL REPLY BRIEF by Staten Island Savings Bank in further support of [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 17 | MOTION by Staten Island Savings Bank to dismiss . Motion hearing . (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 18 | MEMORANDUM by Staten Island Savings Bank in support of defendant's [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 19 | RESPONSE by Equal Employmnt Opportunity Commission in opposition to defendant Staten Island Savings Bank's [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 20 | SUPPLEMENTAL RESPONSE by Equal Employmnt Opportunity in opposition to defendant's Staten Island Savings Bank's [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 21 | TRANSMITTAL AFFIDAVIT of Michael J. O'Brien, Esq. Re: defendants' [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 22 | AFFIDAVIT of Catherine Arcuri, Vice President of Human Resources for defendant Staten Island Savings Bank Re: in support of defendant Staten Island Savings [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |
| 05/18/1998 | 23 | REPLY BRIEF by Staten Island Savings Bank in further support of Staten Island Savings Bank's [17-1] motion to dismiss. (Guzzi, Roseann) (Entered: 05/26/1998) |

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| 05/18/1998 | 38 | LETTER dated 5/15/98 from Roger H. Briton to Clerk of the Court enclosing motion to dismiss papers on behalf of defendant Staten Island Savings Bank. (Guzzi, Roseann) (Entered: 02/25/1999) |
| 06/16/1998 | 25 | LETTER dated 6/9/98 from Roger Briton to Judge Raggi, re: enclosure for the Court's information a copy of the Third Circuit's May 22, 1998 decision in Ford v. Schering-Plough Corp. The reason for this is on behalf of deft Staten Island Savings Bank as the issues considered are identical to the above case presently before this court. w/enclosure. (Dobkin, David) (Entered: 06/16/1998) |
| 07/30/1998 | 27 | MOTION by Guardian Life Insurance Co. for Frank C. Morris to appear pro hac vice . No Motion hearing set for [27-1] motion . Galeano, Sonia (Entered: 08/31/1998) |
| 07/30/1998 | 28 | AFFIDAVIT by Guardian Life Insurance Co. in support of [27-1] motion for Frank C. Morris to appear pro hac vice pursuant to Local Rule 1.3(c). Galeano, Sonia (Entered: 08/31/1998) |
| 07/30/1998 | 29 | AFFIDAVIT by Frank C. Morris, Jr. Counsel for Defendant Guardian Life Insurance Co. in support of [27-1] motion for Frank C. Morris to appear pro hac vice. (See Exhibits A-B Attached) Galeano, Sonia (Entered: 08/31/1998) |
| 08/17/1998 | 26 | ENDORSED ORDER, directing that oral argument in the Motions to dismiss will be heard on 10-16-1998 @ 2:00. (Signed by Judge Reena Raggi, dtd. 8-11-1998.) C/M by Chambers. See faxed letter dtd. 7-9-1998 from Teresa L. Jakubowski to JUDGE RAGGI for the endorsed order. (Mackey, Donna) (Entered: 08/17/1998) |
| 08/31/1998 | | Endorsed order on doc. #27, granting [27-1] motion for Frank C. Morris to appear pro hac vice. (Signed by Judge Reena Raggi, dated 08.17.98) Copies mailed by Chambers. Galeano, Sonia (Entered: 08/31/1998) |
| 10/09/1998 | 30 | LETTER dated 6/17/98 from Michael J. O'Brien to Judge Raggi that The Equal Employment Opportunity Commission responds to Staten Island Savings Bank's 6/9/98 letter regarding Ford v. Schering-Plough Corp. (Guzzi, Roseann) (Entered: 10/09/1998) |
| 10/30/1998 | | Case closed. *Notified Magistrate Mann. (Guzzi, Roseann) (Entered: 11/04/1998) |
| 10/30/1998 | 35 | Calendar entry: before Judge Raggi on 10/30/98 motion held. ESR/Maria Perrone. Counsel for all sides present. Defendant's motion to dismiss the complaint is argued. Motion granted. Complaint ordered dismissed. Judgment to be entered in favor of the defendant. (Guzzi, Roseann) (Entered: 12/01/1998) |
| 11/04/1998 | 31 | ORDER dated 11/1/98 granting defendants' [17-1] motion to dismiss granting defendants' [9-1] motion to dismiss. (signed by Judge Reena Raggi) *sent to pro-se for jgm. (Guzzi, Roseann) (Entered: 11/04/1998) |
| 11/06/1998 | 32 | TRANSCRIPT filed for motion held on 10/30/98 before Judge Raggi. Audio Operator Maria Perrone. Transcribed by Rosalie Lombardi. (24 pages) (Guzzi, Roseann) (Entered: 11/09/1998) |
| 11/12/1998 | 33 | JUDGMENT dated 11/6/98 that the plaintiff take nothing of the defendants; and, that the defendants' motion to dismiss the complaint is granted. (Signed by Robert C. Heinemann, Clerk of the Court) C/M (Guzzi, Roseann) (Entered: 11/12/1998) |

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| | | 11/12/1998) |
| 11/30/1998 | 34 | LETTER dated 10/16/98 from Thomas J. Luz to Judge Raggi on behalf of defendant to confirm that we are available to argue the motions on 10/30/98 at 2:00. (Guzzi, Roseann) (Entered: 11/30/1998) |
| 12/29/1998 | 36 | NOTICE OF APPEAL by Equal Employmnt Opportunity Commission. Notice of Appeal and certified copy of docket sent appealing [33-1] judgment order, [31-1] order. Service made by clerk. (McGee, Maryann) (Entered: 01/06/1999) |
| 12/29/1998 | | Notice of Appeal and certified copy of docket to USCA: [36-1] appeal (McGee, Maryann) (Entered: 01/06/1999) |
| 02/09/1999 | 37 | USCA Scheduling Order: [36-1] appeal Appeal record due by 2/26/99 . USCA Number: 99-6011 Appellant's brief due 3/5/99. Appellee's brief due 4/5/99. Argument set for 5/17/99. (Gonzalez, Mary) (Entered: 02/09/1999) |
| 04/12/1999 | | Certified and transmitted INDEX on appeal to U.S. Court of Appeals: [36-1] appeal. Acknowledgment requested. Please note: Index prepared 2/25/99. (McGee, Maryann) (Entered: 04/12/1999) |
| 04/23/1999 | 39 | Acknowledgment from USCA received re: [36-1] appeal. Acknowledgment signed by D.J. on 4/15/99. (McGee, Maryann) (Entered: 04/26/1999) |
| 02/14/2000 | | Certified and transmitted record on appeal to U.S. Court of Appeals: [36-1] appeal. This record consists of doc# 1-15,17-36. Missing doc#16,37. PLEASE NOTE: RECORD SENT TO AND AS PER KENARD HARRIS/USCA. USCA# 99-6011. Acknowledgment requested. (Vasquez, Liz) (Entered: 02/14/2000) |
| 10/26/2000 | 40 | MANDATE OF USCA (certified copy) Re: [36-1] appeal. On consideration whereof, it is now hereby ordered, adjudged and decreed that the judgment of said district court be and it hereby is affirmed in accordance with the opinion of this Court. Issued as mandate: 10/19/00. Judge Notified. Ackn. mailed. USCA# 99-6011 ; 99-6035. (Vasquez, Liz) (Entered: 10/30/2000) |
| 12/22/2000 | 41 | Appeal record returned from U.S. Court of Appeals containing documents numbered 1-15,17-38. (Copy of this form returned form returned to Fred Nunnery c/o Court of Appeals.) appeal (Drayton, Lorraine) (Entered: 12/22/2000) |

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