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General Docket

US Court of Appeals for the Second Circuit

INDIV HEARD
CLOSED C90274
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Court of Appeals Docket #: 99-6035
Nsuit: 1442 CIVIL RIGHTS-Jobs
EEOC v. Chase Manhattan Bank, et al
Appeal from: U.S. District Court EDNY

Filed: 2/9/99

Case type information:

- 1) Civil
- 2) USA as party
- 3) none

Lower court information:

District: 0207-01: 97-cv-6620
Trial Judge: Whitman Knapp
Magistrate Judge: Ronald L. Ellis
Date Filed: 9/8/97
Date order/judgment: 12/11/98
Date NOA filed: 2/4/99

Fee status: waived

Prior cases:

None

Current cases:

None

Panel Assignment:

Panel: WF RJC RDS 1705 :CA2 10/28/99 am
Date of decision: 3/23/00

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99-6035 EEOC v. Chase Manhattan Bank, et al

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Plaintiff - Appellant

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Equal Employment Opportunity
Commission
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 UNUM LIFE INSURANCE COMPANY OF
 AMERICA
 Defendant

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 Proskauer Rose, LLP
 1585 Broadway
 New York, NY 10036-8299

CHASE MANHATTAN BANK
 Defendant - Appellee

Meryl R. Kaynard, Esq.
 212-552-6825
 25th Flr.
 [COR LD NTC ret]
 Chase Manhattan Bank
 Legal Department
 1 Chase Manhattan Plaza
 New York, NY 10081

v.

AMERICAN COUNCIL OF LIFE
 INSURANCE
 Amicus Curiae

Gregory A. Castanias, Esq.
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 [COR LD NTC ret]
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 51 Louisiana Ave., N.W.
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EQUAL EMPLOYMENT ADVISORY
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 UNITED STATES OF AMERICA
 Amicus Curiae

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 National Chamber Litigation

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99-6035 EEOC v. Chase Manhattan Bank, et al

Center, Inc.
 1615 H St., N.W.
 Washington, DC 20062

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Official Caption 1/

Docket No. [s] : 99-6035

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff-Appellant,

v.

THE CHASE MANHATTAN BANK,

Defendant-Appellee,

UNUM LIFE INSURANCE COMPANY OF AMERICA,

Defendant.

 Authorized Abbreviated Caption 2/

Docket No. [s] : 99-6035

EEOC v THE CHASE MANHATTAN

1/ Fed. R. App. P. Rule 12 [a] and 32 [a].
 2/ For use on correspondence and motions only.

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2/9/99 Copy of notice of appeal and district court docket entries on behalf of Appellant EEOC filed. [99-6035] Form C due on 2/15/99. Form D due on 2/15/99. (ag40)

2/17/99 Copy of district court order RECEIVED. (ag40)

2/17/99 Appellant EEOC Form C filed, with proof of service. [99-6035] Form C deadline satisfied. (ag40)

2/17/99 Appellant EEOC Form D filed, with proof of service. [99-6035] Form D deadline satisfied. (ag40)

2/19/99 Notice of appeal acknowledgment letter from Meryl R. Kaynard for Appellee Chase Manhattan Bank received. (ag40)

2/19/99 Pre-Argument Conference Notice and Order from Frank J. Scardilli filed. (ag40)

2/19/99 Scheduling order #1 filed. Record on appeal due on 3/15/99. Appellant's brief and appendix due on 3/22/99. Appellee's brief due on 4/21/99 . Argument as early as week of 6/2/99. (Pre-Argument Conference scheduled for Friday 3/5/99 @ 11:45 AM). (ag40)

2/23/99 Notice of appeal acknowledgment letter from Allen I. Fagin for Appellee Unum Life Insurance received. (correction of new attorney added to mailing list) (ag40)

2/24/99 Amended pre-argument confernce notice and Order filed stating that Lisa Greenberg will hold telephone conference with counsels instead of Frank Scardilli. (ag40)

2/24/99 Notice of amended pre-argument notice and order issued to all counsels. (ag40)

3/1/99 Notice of appeal acknowledgment letter from Jodi B. Danis

for Appellant EEOC received. (ag40)

3/4/99 IT IS HEREBY ORDERED that the above-captioned appeals are consolidated for purposes of oral argument only. IT IS FURTHER ORDERED that the following scheduling order shall govern both appeals. The index to the record on appeal, certified copy of the docket entries, and the clerk's certificate shall be filed on or before March 15, 1999; the appellant's brief and appendix shall be filed on or before March 22, 1999; the appellee brief shall be filed on or before April 21, 1999; and argument of these appeals shall be heard no earlier than the week of June 1, 1999. (ag40)

3/4/99 FOR A LIST OF COMPLETE DOCKET ENTRIES PLEASE SEE THE LEAD APPEAL, DOCKET NUMBER Lead Number: 99-6011. (ag40)

3/5/99 First pre-argument conference held by Staff Counsel LG. (lg)

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3/8/99 New scheduling order number #3 filed. New record on appeal due date is 3/15/99. New appellant's brief due date is 4/5/99. New appellee's brief due date is 5/18/99. New argument week as early as 6/28/99. (ag40)

3/10/99 Copy of Court Reporter Acknowledgment received. (ag40)

3/11/99 Order filed stating that the above-captioned appeals docket nos. 99-6011 and 99-6035 shall be heard in tandem subject to the approval of the presiding judge. (ag40)

3/11/99 Ordered that the following appeals Docket Nos: 99-6011, 99-6035 are to be heard together. (ag40)

3/15/99 Record on appeal index in lieu of record filed. (ag40)

3/18/99 Letter received from Jodi B. Danis concerning the appeal against Unum Life Insurance Company of America. The Commission does not intend to pursue its appeal; but will against Chase Manhattan Bank. (ag40)

3/24/99 The CAPTION PAGE for this appeal has been AMENDED removing Unum Life Insurance Co as party. (ag40)

4/8/99 Appellant EEOC brief FILED with proof of service. (ag40)

4/8/99 Appellant EEOC joint appendix filed w/pfs. (ag40)

4/8/99 Notice of appearance form on behalf of Jodi B. Danis, Esq., filed. (Orig in acco, copy to Calendar) (ag40)

5/4/99 Appellant EEOC motion to extend time to file reply brief FILED (w/pfs). [1391739-1] (ag40)

5/7/99 Order FILED GRANTING motion for extended time [1391739-1] by Appellant EEOC, endorsed on motion form dated 5/4/99. Extended appellee's brief due date is 5/21/99. Extended appellant's reply brief due on 6/14/99. Extended argument week as early as 7/5/99 (ag40)

5/7/99 Notice of so ordered motion for extension of time issued to

counsel. (ag40)

5/21/99 Notice of appearance form on behalf of Meryl R. Kaynard, Esq., filed. (Orig in acco, copy to Calendar) (ag45)

5/21/99 Appellee Chase Manhattan Bank brief filed with proof of service. (ag45)

5/28/99 Amicus Curiae American Council brief filed with proof of service. Note: Consent letters from EEOC and Chase Manhattan Bank included. (ag44)

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5/28/99 Amicus Curiae EEAC and Amicus Curiae Chamber of Commerce brief filed with proof of service. (ag45)

6/4/99 Letter from Jodi B. Danis, Esq. dated May 27, 1999 informing Court of dates she is unavailable for oral argument received. (cc.cal) (ag41)

6/8/99 Appellant EEOC motion for a three day extension to file reply brief from June 14, 1999 to June 17, 1999, FILED (w/pfs). [1413685-1] (ag45)

6/14/99 Order FILED GRANTING motion for extended time [1413685-1] by Appellant EEOC, endorsed on motion form dated 6/8/99. Extended appellant's reply brief due on 7/22/99. (ag44)

6/15/99 Notice regarding motion order dated 6/14/99 issued to counsel (ag44)

6/21/99 Appellant EEOC reply brief filed with proof of service. Satisfy appellant's reply brief due. (ag40)

6/21/99 Letter from Jodi B. Danis, Esq. dated June 18, 1999 requesting court to remove decision from addendum of reply brief received (ag41)

6/25/99 Letter received Jodi B. Danis regarding unavailability for oral argument dated during July and August 1999. (ag40)

6/25/99 Appellee Chase Manhattan Bank 28(J) letter FILED. (ag44)

6/30/99 Appellant EEOC 28(J) letter received. (ag40)

8/31/99 Proposed for argument the week of 10/25/99. (ca93)

9/20/99 Set for argument on 10/28/99 . [99-6035] (ca91)

10/14/99 Notice of appearance form on behalf of Barbara L. Sloan, Esq., filed. (Orig in acco, copy to Calendar) (ag40)

10/28/99 Case heard before FEINBERG, CARDAMONE, SACK C.JJ. (TAPE: #68) (ca95)

12/15/99 Appellee Chase Manhattan Bank 28(J) letter FILED. (ag40)

1/20/00 Appellee Chase Manhattan Bank 28(J) letter received. (ag40)

2/15/00 Record on appeal filed. (Original papers of district

court.) Number of volumes: 1 (reh)

3/8/00 Appellant EEOC 28(J) letter FILED. (ag40)

3/23/00 Judgment of the district court is AFFIRMED by published signed opinion filed. (RDS, CJ) [99-6035] (ag40)

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3/23/00 Judgment filed. [Entry Date: 3/23/00] (ag40)

4/26/00 Errata sheet re: pages 1868, 1874, 1875 and lines 30, 6-9, 2, 3 per RDS, CJ filed. (ag40)

10/19/00 Judgment MANDATE ISSUED. (ag40)

12/12/00 Record on appeal RETURNED to lower court. No. of volumes: 1 (ref)

5/10/01 Acco received in records room from team. (reo)

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