

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:96-cv-00374-FB**

United States v. NYC Board of Educati, et al  
Assigned to: Senior-Judge Frederic Block  
Demand: \$0  
Member case: [\(View Member Case\)](#)  
other Case: [1:08-cv-03032-FB-RML](#)  
Cause: 28:1345 USA Plaintiff

Date Filed: 01/30/1996  
Date Terminated: 08/22/2008  
Jury Demand: None  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Mediator**

**Esq. Vivien B. Shelanski**  
*TERMINATED: 10/04/2004*

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**Movant**

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**Movant**

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**Movant**

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**Plaintiff**

**United States of America**

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*TERMINATED: 02/03/2004*

V.

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**Defendant**

**Department of Citywide Administrative Services**

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**Norma Ann Cote**  
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*TERMINATED: 06/16/2005  
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**Defendant**

**William J. Diamond**  
*Personnel Director, New York City  
Department of Personnel (in her official  
capacity)*

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**Defendant**

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**Intervenor**

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**Intervenor**

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**Intervenor**

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**Intervenor**

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Date Filed	#	Docket Text
01/30/1996	1	COMPLAINT filed and summons(es) issued for NYC Board of Education, City of New York, Lilliam Barriospaoli, NYC Dept. Personnel (Han, Jason) (Entered: 01/30/1996)
02/21/1996	2	ORDER, dated 2/14/96 set status conference for 3:15 6/11/96 before Magistrate Robert M. Levy ( signed by Magistrate Robert M. Levy ) (Dobkin, David) (Entered: 02/21/1996)
03/04/1996	3	WAIVER OF SERVICE Returned Executed as to NYC Board of Educati, City of New York, Lilliam Barriospaoli, NYC Dept. Personnel 2/2/96 Answer due on 4/2/96 for NYC Dept. Personnel, for Lilliam Barriospaoli, for City of New York, for NYC Board of Educati (Dobkin, David) (Entered: 03/04/1996)
03/22/1996	4	WAIVER OF SERVICE Returned Executed as to NYC Board of Education. Answer due on 5/21/96 for NYC Dept. Personnel. (DiTomasso, Mike) (Entered: 03/22/1996)



04/04/1996	5	ANSWER to Complaint by NYC Board of Education, City of New York, Lilliam Barriospaoli, NYC Dept. Personnel. (Johnson, Tanya) (Entered: 04/04/1996)
04/05/1996	6	ORDER dated March 30, 1996, endorsed on the letter dated 3/26/96 from Brenda Berlin, Atty., Employment Litigation Sect. with the U.S. Dept. of Justice, granting her application and resetting the initial status conference for 2:15 7/10/96 before Magistrate Robert M. Levy . ( signed by Magistrate Robert M. Levy ) (Vaughn, Terry) (Entered: 04/05/1996)
07/10/1996	7	Calendar entry:, Before Magistrate Levy on 7/10/96 for an Initial Conference. Discovery to be completed by Liability, 1/17/97; Fact 5/30/97; Expert. set status conference for 10:00 12/12/96 before Magistrate Robert M. Levy (Parties may appear by telephone if they wish) (1) Discovery, Re: Recruitment will be deferred until after determination of liability, re: examinations. (2) Pltff may take more than 10 depositions, upon a showing that there is a need for the depositions requested. The parties shall engage informal discovery to ascertain which deposition are necessary. If the parties reach agreement they should forward a letter to chambers to that effect. If there is a disagreement, they should forward a letter to chambers to that effect. If there is a disagreement, the parties shall call chambers and schedule a telephone conference. In preparation for the confrence, the parties may submit letters of up to 3 pages describing their respective positions. On or before 7/19/96, dfts shall provide "adverse impact. statistics. The parties shall attempt to reach a stipulation on these numbers on or before 8/8/96. Discovery of liability and damages shall be bifurcated. (Piper, Francine) (Entered: 07/16/1996)
10/30/1996	8	Calendar entry: Before Ma Judge Levy on 10/30/96 case called; counsel for all sides present. Discovery due 2/21/97 . Next status conference set for 10:00 12/12/96 before Judge Frederic Block . Parties have agreed that there was no adverse impact re: the Parctical Test, but are still negotiating re: two remaining test. As to the 2 remaining tests, the parties have agreed to the raw number re: qualified test-takers, passers and persons determined to be non-qualified. Ms. Cote will review Government's analysis of the stitistics and advise Ms. Berlin by 11/29/96 whether deft will stipulate as to the tow remaining test. Accordingly, the discovery deadlines is extended four weeks to avoid possibly needless discovery re: adverse impact. Parties will advise at next conference whether they will stipulater: adverse impact. (Romano, Dan) (Entered: 11/06/1996)
12/12/1996	9	Calendar entry:Before Mag. Levy on 12/12/96 at 10:00a.m. Status of document discovery: deft is searching for documents compiled by Dr. Ramos who has not worked for Dept of Personnel for 2 years; deft recently discovered new documents, which were shipped to plaintiff this week. Parties cannot stipulate as to adverse impact statistics compliedby USA Parties agree that because deft is still producing documents and because discovery willbe needed on adverse impact, fact discovery is extended to 4/30/97; expert discovery is extended to 9/30/97. Parties agree that, following initial exchange of expert reports, parties may supplement their expert reports by 6/30/97. set discovery due for 4/30/97 , set status conference for 10:00 5/16/97 before Magistrate Robert M. Levy (Dobkin, David) (Entered: 12/16/1996)
12/19/1996	208	LETTER dated 12/19/96 from Norma A. Cote to Judge Levy enclosing a copty of an order in Guinaryd v. the City of NY 89-Cv-1434 (EHN) where defts did not have to produce an expert report untl after plaintiffs had produced theirs. (Ellern, Lisa) (Entered: 10/11/2000)
03/11/1997	10	LETTER dated 2/21/97 from Asst. Corp. Counsel, Norma Cote, to Magistrate Levy, requesting a protective order against portions of plaintiff's Notice of Deposition of NYC Dept. of Personnel and against an item in the request for production of documents. (Asreen, Wendy) (Entered: 03/11/1997)
03/12/1997	11	Calendar entry: before Mag Judge Levy on 3/12/97. Discovery is to be completed by 11/30/97 . Status conference set for 10:30 12/16/97 before Magistrate Robert M. Levy by telephone . Deft's motion for a protective order, dated 2/21/97, is resolved as follows: 1) Pltff states, inter alia, that relatively recent information concerning the use of provisional hiring requires discovery concerning possible discrimination in provisional hiring. Accordingly, the motion for a protective order relating to Topics 13,18, and 20 of the Department of Personnel Notice of Depostion ("DOP Notice") and Topics 4,8,12,13, and 14 of the Board of Education Notice of

		Deposition ("BD. of Ed. Notice") is DENIED. 2) Topic 1 of the DOP Notice is narrowed as follows: Pltff may inquire regarding a) policies, practices and procedures relating to the development of civil service exams in general; and b) the development of specific school custodian examinations at issue in this litigation. 3) Deft and pltff will resolve the 2 remaining issues re: Bd. of Ed. Notice as follows: a) the parties will submit a stipulation memorializing the agreement reached today concerning Topics 12, and b) deft will attempt to generate a computer print-out providing the information sought under Topics 3, and 4 (dates of hire etc.). 4) Dept. of Personnel Document Request 1: under the supervision of Bd. of Ed. employees, the US will send paralegals and attorneys to pull ( if requested by Bd. of Ed.) up to 450 files, review and copy performance ratings, and provide a copy of depts' counsel. Pltff will provide a copier, if necessary. At this time the order is limited to files contained in the plant manager's office. The parties stipulate that archived files of inactive or retired custodians are exempt from this review. This ruling assumes that depts can produce a list of hire dates of relevant custodians. The discovery schedule is adjusted. Parties to submit proposed revised schedule to chambers. (Romano, Dan) (Entered: 03/17/1997)
03/18/1997	12	LETTER dated 2/20/97 from Brenda Berlin to Judge Levy requesting a phone conference to address two discovery disputes & to discuss the fact discovery schedule. Filed with attachments. (Greves, Liz) (Entered: 03/18/1997)
03/18/1997	13	LETTER dated 3/11/97 from Norma A. Cote to Judge Levy requesting a protective order against portions of pltff's 3/3/97 Amended Notice of Rule 30(b)(6) Deposition of deft NYC Board of Ed. (Greves, Liz) (Entered: 03/18/1997)
03/18/1997	14	LETTER dated 3/10/97 from Luis A. Lavin to Judge Levy requesting that the depts' objections to the Notice of Deposition to the Board also be heard & resolved during the 3/12/97 discovery conference. Filed with attachments. (Greves, Liz) Modified on 03/18/1997 (Entered: 03/18/1997)
03/26/1997	15	NOTICE of attorney appearance for United States by Luis A. Lavin. (Romano, Dan) (Entered: 03/26/1997)
04/09/1997	16	Calendar entry: Before Mag Judge Levy on 4/9/97. Discovery conference held. Deft objects to request to produce list of all provisional hires for the position of custodian and custodian engineer, as burdensome and of minimal benefit. Provisional custodians and engineers were hired after the expiration of list 5040 (in effect 1987-1990) and the custodian engineer list (1990-1994). Following a conference, parties agree to stipulate that provisionals listed on 1993 and 1996 ethnic surveys and 1997 payroll printout are a statistically valid sample or pool for purposes of this litigation. Parties to submit a proposed scheduling order and stipulation. (Romano, Dan) (Entered: 04/15/1997)
04/28/1997	17	ORDER dated 4/14/97 amending discovery schedule ( signed by Magistrate Robert M. Levy ) (Dobkin, David) (Entered: 04/28/1997)
05/12/1997	18	SCHEDULING ORDER, dated 4/29/97 that the deft shall provide certain documentation by 4/18/97. Expert Discovery cutoff 2/20/98 ; ( signed by Magistrate Robert M. Levy ). See document #18 for further amendments. (Romano, Dan) (Entered: 05/12/1997)
08/25/1997	19	Stipulation regarding Provisional Hires. w/attachments. (Dobkin, David) (Entered: 08/25/1997)
09/15/1997	21	Calendar entry: , before Mag Judge Levy on 9/15/97. Case called; status conference held. Next status conference set for 10:30 12/16/97 before Magistrate Robert M. Levy . Upon consent, parties request for brief extension of fact discovery is granted. Parties to submit confirming letter. (Romano, Dan) (Entered: 09/30/1997)
09/15/1997	22	LETTER dated 9/12/97 from Luis Lavin to Clerk of Court, enclosing an original and a copy of pltff's notice of appearance and substitution of counsel. (Romano, Dan) (Entered: 10/02/1997)
09/15/1997	23	NOTICE of attorney appearance for United States by Aaron D. Schuham as an additional attorney for the plaintiff. (DiTomasso, Mike) (Entered: 10/06/1997)

09/24/1997	20	ORDER, dated 9/17/97 that the time for edeft to respond to plttf's forth request for prodction of documents and first request for admissions is extended to 9/19/97; also that the discovery schedule in this case should be amended as follows, Fact Discovery shall be extended to 10/3/97; Expert reports shall be exchanged on 11/8/97; Expert reports shall be exchanged on 11/18/97; Supplemental expert reprotos shall be filed by 1/27/98. ( signed by Magistrate Robert M. Levy ). (Romano, Dan) (Entered: 09/24/1997)
12/02/1997	174	LETTER by USA requesting that expert reports prepared by Bobko and Assessment Alternatives, Inc. be struck and that Philip Bobko be precluded from testifying at tial dated 12/2/97 from AAG Luis A. Lavin to Judge Levy. (Ludwig, Michael) (Entered: 05/15/2000)
12/02/1997	175	LETTER reqesting telephone hearing to address the litigation of the liability portion of the US's adverse impact and recruitment claims in 2 separate phases dated 12/2/97 from AAG Aaron Schumann to Judge Levy, including attachment A 7/10/96 calendar and Attachment B – Order Amending Discovery Schedule– (resubmitted by fax to court for docketing, 5/15/00). (Ludwig, Michael) Modified on 05/15/2000 (Entered: 05/15/2000)
12/05/1997	204	LETTER dated 12/5/97 from Aaron D. Schuham to Judge Levy responding to dfts' Dec. 5, 1997 application to seek additional time to respond to the United State's 2 letter applications submitted to the court on Dec. 2, 1997. (Ellern, Lisa) (Entered: 10/11/2000)
12/08/1997	203	LETTER dated 12/8/97 from Norma A. Cote to Judge Levy responding to the Dec. 5, 1997 letter from Aaron Schumham. (Ellern, Lisa) (Entered: 10/11/2000)
12/15/1997	24	ORDER, endorsed on letter dated 12/5/97 from Norma Cote to the Magistrate Levy requesting additional time to put in a written response to the letter applications of the plttf. The application is granted. The Court will set the schedule regarding plttf's application to try the recruitment and adverse impact claims together when it meets with the parties at the 12/16/97 conf. ( signed by Magistrate Robert M. Levy ) (Jean (Entered: 12/15/1997)
12/16/1997	25	Calendar entry: before Magistrate Levy a discovery conference was held with all parties present. Oral argument on the motion is scheduled for 3/13/98 @ 3:00pm. (Jean (Entered: 12/18/1997)
12/23/1997	26	TRANSCRIPT of Civil Cause for Discovery Conference before Magistrate Levy filed for for dates of 12/16/97 (Jean (Entered: 12/23/1997)
01/08/1998	27	LETTER dated 12/31/97 from Norma A. Cote to Mag. Levy, Recapitulating the rulings made at the judicial conference on 12/16/97. (Piper, Francine) (Entered: 01/08/1998)
01/12/1998	28	NOTICE of attorney appearance for NYC Board of Educati, City of New York, Lilliam Barriospaoli, NYC Dept. Personnel by Drake Anthony Colley (Jean (Entered: 01/12/1998)
01/20/1998	29	LETTER dated 1/16/98 from Drake Colley to Magistrate Levy responding and opposing to plttf's motion to litigate its recruitment claim (Jean (Entered: 01/20/1998)
01/27/1998	30	LETTER dated 1/26/98 from Luis Laven to Magistrate Levy requesting that the Govt's motions to compel and for sanctions be granted. (Jean (Entered: 01/27/1998)
02/02/1998	31	LETTER dated 1/29/98 from Aaron Schulman to Magistrate Levy regarding plttf's reply memorandum in support of its application to adverse and impact recruitment claims. (Jean (Entered: 02/02/1998)
02/02/1998	32	Calendar entry: Before Magistrate Levy–Discovery Conference by telephone held. Defendant shall not direct expert witness Dr. Reily not to answer questions on grounds of relevance, as defendant has not shown prejudice or harassment. Galeano, Sonia (Entered: 02/09/1998)

03/02/1998	33	LETTER dated 2/27/98 from Drake Colley to Magistrate Levy requesting a modification of the present expert discovery order. (Jean (Entered: 03/02/1998))
03/04/1998	34	LETTER dated 3/3/98 from Drake Colley to Magistrate Levy, requesting the modification of the expert discovery schedule. (Jean (Entered: 03/04/1998))
03/06/1998	35	ORDER, endorsed on letter dated 2/27/98 from D. Colley to Magistrate Levy, requesting a modification of the discovery order. Exchange of expert report is stayed pending a final determination at the 3/13/98 conference. ( signed by Magistrate Robert M. Levy, dated 3/4/98 ) (Jean (Entered: 03/06/1998))
03/12/1998	36	LETTER dated 3/9/98 from Luis Lavin to Magistrate Levy, addressing factual and misrepresentations in the deft's 3/3/98 "reply" letter. (Jean (Entered: 03/12/1998))
03/13/1998	40	Calendar entry: Before Magistrate Judge Levy–motions argued orally. Decision reserved on application to consolidate discovery and trial of liability issues relating to adverse impact and recruitment claims, to enable Mr. Colley to respond in writing, by 3/27/98, to plaintiff's reply letter. Plaintiff's motion to compel is granted as set forth on the record. Reply expert affidavits re: adverse impact shall be exchanged simultaneously by 4/17/98; close of expert depositions re: adverse impact 6/19/98. If recruitment claim tried with adverse impact, discovery shall begin 6/22/98 and end 10/30/98. Next conference set for 10:00 on 11/13/98 . (Reddy, Lisa) (Entered: 03/17/1998)
03/13/1998	170	Calendar entry: Case called before Magistrate Levy for an Oral Argument (Jean (Entered: 04/25/2000))
03/17/1998	37	LETTER dated 2/25/98 from Luis A. Lavin to Magistrate Judge Levy, requesting that the pending motion to compel be heard and resolved immediately after the 3/13/98 oral argument on the recruiting motion. (Reddy, Lisa) (Entered: 03/17/1998)
03/17/1998	38	LETTER dated 1/16/98 from Drake A. Colley to Magistrate Judge Levy, in opposition to plaintiff's 12/2/97 motion to litigate its recruitment claim at the same time as its claim of liability for defendant's use of 3 civil service exams to select applicants for hiring. (Reddy, Lisa) (Entered: 03/17/1998)
03/17/1998	39	LETTER dated 3/9/98 from Luis A. Lavin to Magistrate Judge Levy, in response to defendants' 3/3/98 reply letter. (Reddy, Lisa) (Entered: 03/17/1998)
03/17/1998	41	TRANSCRIPT of Motion before Magistrate Levy filed for dates of 3/13/98. Court Reporter: M. Picozzi. (Jean (Entered: 03/17/1998))
03/19/1998	42	LETTER dated 3/17/98 from Aaron Schuham to Magistrate Levy, providing additional legal authority supporting the position of the Court to try the recruitment and adverse impact claims. (Jean (Entered: 03/19/1998))
03/27/1998	43	LETTER dated 3/27/98 from Drake Colley to Magistrate Levy, requesting that the Court deny plttf's motion that the adverse impact and recruitment claims be tried simultaneously. (Jean (Entered: 03/27/1998))
04/20/1998	44	LETTER dated 3/27/98 from Drake Colley to Magistrate Levy, regarding a enclosed copy of the defts' supplemental experts. (Jean (Entered: 04/20/1998))
04/29/1998	45	LETTER dated 4/23/98 from Luis Lavin to Magistrate Levy, confirming that the U.S. supplemental expert report were timely served on defts' counsel. (Jean (Entered: 04/29/1998))
05/19/1998	46	ORDER, endorsed on letter dated 5/13/98 from Aaron Schuham to Magistrate Levy, regarding the ptlff's pending motion to try the adverse impact and recruitment claims. set status conference for 2:15 5/21/98 before Magistrate Robert M. Levy ( signed by Magistrate Robert M. Levy ) (Jean (Entered: 05/19/1998))
05/26/1998	47	Calendar entry: Before Magistrate Levy on 5/21/98 for a telephone conference. Plaintiff's motion to try the adverse impact and recruitment claims together in this case is granted, for the reasons set forth by the United States at oral argument on 3/13/98 and in its supporting papers. The Court will re–evaluate the continuing appropriateness of this decision during the course of the trial. (Gonzalez, Mary) (Entered: 05/26/1998)

05/26/1998	48	LETTER dated 2/27/98 from Norma Cote to Magistrate Levy, opposing def't's motion to modify or extend in any manner the current expert discovery schedule. (Jean (Entered: 05/26/1998))
06/01/1998	49	LETTER dated 5/28/98 from Luis Lavin to Magistrate Levy, responding to the defts' motions to extend discovery. (Jean (Entered: 06/01/1998))
06/06/1998	52	NOTICE of attorney appearance for United States by Tana Lin, U.S. Dept. Of Justice. (Glenn, Marilyn) (Entered: 06/16/1998)
06/10/1998	54	Calendar entry: before Magistrate Judge Levy–Discovery/Telephone Conference held. Defendants' motion for 3 weeks extension of expert discovery on testing claim is granted, with the understanding that discovery on the recruitment claim will not be delayed. Defendants' Rule 26 (A)(1) disclosure on the recruitment claim shall be served no later than 07.03.98. Defendants' motion for reconsideration of this Court's 03.13.98 ruling requiring defendants to produce documents responsive to Paragraph 3 of Plaintiff's First Expert Request for Production of Documents, served 11.26.97, is denied both as untimely and on the merits. Plaintiff's motion for sanctions is denied. Responsive documents shall be produced no later than 06.17.98. Galeano, Sonia (Entered: 07/15/1998)
06/11/1998	50	ORDER, endorsed on letter dated 5/27/98 from Drake Colley to Magistrate Levy, requesting the Court to reconsider its ruling as to the production of documents. Matters resolved as set forth during 6/10/98 conference. ( signed by Magistrate Robert M. Levy, dated 6/10/98 ) (Jean (Entered: 06/11/1998))
06/15/1998	51	LETTER dated 6/2/98 from Drake Colley, Asst. Corp. Counsel, to Magistrate Levy in opposition to plaintiff's motion for sanctions. (Johnson, Tanya) (Entered: 06/15/1998)
07/07/1998	53	Disclosure of interested parties by United States (Jean (Entered: 07/07/1998))
08/03/1998	55	LETTER dated 7/29/98 from Aaron Schuham to Magistrate Levy, concerning def't's expert witness Dr. Reilly's time to submit his report. (Jean (Entered: 08/03/1998))
08/04/1998	56	ORDER, endorsed on letter dated 7/28/98 from Drake Colley to Magistrate Levy, requesting that the Court allow defts to submit a report responding to plttf's second expert reports. The application is granted. Deft shall file Dr. Reilly's rebuttal expert report by 8/14/98. ( signed by Magistrate Robert M. Levy, dated 7/30/98 ) (Jean (Entered: 08/04/1998))
08/13/1998	57	LETTER dated 8/11/98 from Tana Lin to Magistrate Levy, requesting a hearing on the two motions filed. (Jean (Entered: 08/13/1998))
08/13/1998	209	LETTER dated 8/13/98 from Drake A. Colley to Judge Levy responding to plaintiff's application to the court on its motion to order the simultaneous exchange of expert reports for the recruitment claim. Letter includes attachments A–C. (Ellern, Lisa) (Entered: 10/11/2000)
08/14/1998	58	Calendar entry: Case called before Magistrate Levy for discovery conference. Counsel for all sides present. set status conference for 10:30 8/20/98 before Magistrate Robert M. Levy . (Jean (Entered: 08/17/1998))
08/17/1998	206	LETTER dated 8/17/98 from Tana Lin, Attorney from the Employment Litigation Section of the U.S. Dept. of Justice, Civil Rights Division to Judge Levy reviewing the court's order regarding required disclosures, to confirm a scheduled teleconference call for Aug. 19, 1998 and to enclose review copies of the following documents (1) the dfts' response to the USs' first request for production of documents (2) the USs' Second request for production of documents. (Ellern, Lisa) (Entered: 10/11/2000)
08/18/1998	210	LETTER dated 8/18/98 from Tana Lin to Judge Levy enclosing a copy of the Dft's response to the United States' Second REquest for Production of Documents for the hearing on objections which will be held on Aug. 19, 1998 at 12:00 PM. Letter includes attachments A–D. (Ellern, Lisa) (Entered: 10/11/2000)

08/19/1998	59	Calendar entry: Before Magistrate Judge Levy– conference held. Rulings made re: document requests. Plaintiff's counsel will memorialize. (Reddy, Lisa) (Entered: 08/28/1998)
09/21/1998	60	LETTER dated 8/25/98 from Aaron Schuham to Magistrate Levy, objecting to deft's application to file an additional expert report. (Jean (Entered: 09/21/1998)
09/21/1998	207	LETTER dated 9/21/98 from Tana Lin to Judge Levyto memorializethe following concerning the United States' First and SEcond Requests for Production of Documents: (1) the requests withdrawn by the US (2) the agreements reached by the parties during their meet and confer sessions on Aug. 19, 1998 (3) the rulings of the court made at the telephonic hearing heald on Aug. 20, 1998 as to the remaining requests. Parties also request the court to resolve conflicting recollections on 2 issues. (Ellern, Lisa) (Entered: 10/11/2000)
10/07/1998	61	STIPULATION and ORDER Pltff withdraws with prejudice its Document Request numbers 24 and 45 in Pltff United States' First request for the production of documents signed by Magistrate Robert M. Levy, dated 10/1/98 (Jean (Entered: 10/07/1998)
10/26/1998	62	ORDER, endorsed on letter dated 10/13/98 from Luis Lavin to Magistrate Levy, requesting the Court to enter a firm scheduling order. Application granted. ( signed by Magistrate Robert M. Levy ) (Jean (Entered: 10/26/1998)
11/04/1998	63	LETTER dated 10/30/98 from Luis Lavin to Magistrate Levy, requesting that the hearing scheduled for 11/13/98 be taken off the Court's calendar. (Jean (Entered: 11/04/1998)
11/24/1998	64	ORDER, endorsed on letter dated 10/30/98 from Luis Lavin to Magistrate Levy, requesting that the hearing set for 11/13/98 be taken off the calendar. Application granted. ( signed by Magistrate Robert M. Levy ) (Jean (Entered: 11/24/1998)
01/28/1999	65	ORDER, endorsed on letter dated 1/6/99 from Luis Lavin to Magistrate Levy, requesting that the stipulation regarding provisional hires be classified as sealed. Application granted. The Clerk's Office is respectfully requested to seal entry 19. ( signed by Magistrate Robert M. Levy, dated 1/7/99) (Jean (Entered: 01/28/1999)
02/12/1999	66	STIPULATION and ORDER The New York City Dept of Citywide Administrative Services should be substituted as a deft in place of New York City Dept of Personnel, and William J. Diamond, Commissioner, should be substituted in place of Lillima Barrios–Paoli. signed by Magistrate Robert M. Levy, dated 2/1/99 (Jean (Entered: 02/12/1999)
02/16/1999	67	SETTLEMENT AGREEMENT submitted by both parties. (Jean (Entered: 02/16/1999)
03/10/1999	68	STANDARD REFERRAL ORDER the case is referred to Magistrate Levy for the pre–trial purposes.( signed by Judge Frederic Block, dated 3/4/99) (Jean (Entered: 03/10/1999)
03/15/1999	69	SETTLEMENT AGREEMENT submitted by both parties (unsigned by Judge) (Jean (Entered: 03/15/1999)
03/16/1999	71	LETTER dated 3.12.99 from Andrew Werner advising the COurt that he objects to the settlement agreement in this case. (Hunter, Tara) (Entered: 03/29/1999)
03/25/1999	70	LETTER dated 3/19/99 from Harry Santana, School Custodian, to Whom It May Concern, advising the court of his address and phone number. (Murphy, Margaret) (Entered: 03/25/1999)
04/06/1999	72	JOINT MOTION TO SCHEDULE A FAIRNESS HEARING TO CONSIDER OBJECTIONS TO SETTLEMENT AGREEMENT (Jean (Entered: 04/06/1999)
04/13/1999	73	NOTICE of various letter regarding provisional custodians. (Jean (Entered: 04/13/1999)
04/15/1999	74	LETTER dated 4/6/99 from Richard M. Blumberg, Custodian, to Whom It May Concern, advising that the civil service exam is the best and most fair way to hire people for the custodian position. (Murphy, Margaret) (Entered: 04/20/1999)

04/21/1999	75	LETTER dated 4/19/99 from Aaron Schuham to Magistrate Levy, requesting a status conference for 5/13/99. (Jean (Entered: 04/21/1999))
04/26/1999	76	LETTER dated 4/22/1999 from GIOVANNI A. ALAIMO, SCHOOL CUSTODIAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	77	LETTER dated 4/22/1999 from GIOVANNI A. ALAIMO, SCHOOL CUSTODIAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the Basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	78	LETTER dated 3/25/1999 from HUMBERTO FERNANDEZ, to CLERK OF COURT in opposition to the recent settlement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	79	LETTER dated 4/14/1999 from FRANK J. ASTARITA, SCHOOL CUSTODIAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	80	LETTER dated 4/14/1999 from EDWARD MC LINDEN, JR. to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	81	LETTER dated 4/14/1999 from ANTHONY ASTARITA to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	82	LETTER dated 4/14/1999 from TRIFON A. RADEF, to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	83	LETTER dated 4/14/1999 from MICHAEL FINNERAN, SCHOOL CUSTODIAN, TO CATE GREEN PARALEGAL SPECIALIST US JUSTICE DEPT, in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	84	LETTER undated from JOHN KELLY to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	85	LETTER dated 4/21/1999 from JAMES G. AMALFITANO to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	86	LETTER dated 4/20/1999 from MICHAEL B. FINNERAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	87	LETTER dated 4/14/1999 from WILLIAM C. ZELL to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	89	LETTER 4/14/1999 from JOSEPH MCLINDEN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. (Forwarded to

		Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	90	LETTER dated 4/23/1999 from REIDAR J. HERVOLD, SCHOOL CUSTODIAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	91	LETTER dated 4/14/1999 from REIDAR J. HERVOLD, School Custodian to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	92	LETTER dated 4/21/1999 from LOUIS CELENTANO to CLERK OF COURT stating his opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	93	LETTER dated 4/14/1999 from KAREN CASEY to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. [Attached is a ltr. dtd. 4/14/1999 from Kerry Casey to Clerk of Court in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education.] (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	94	LETTER dated 4/14/1999 from VINCENT MCFARLAND to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. [Attached is a letter dtd. 4/23/1999 from Vincent McFarland to Clerk of Court in opposition to the recent settlement agreement on the basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	95	LETTER dated 4/23/1999 from Edward V. Morgan to CLERK OF COURT expressing his objection to the settlement. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	96	LETTER dated 4/23/1999 from MICHAEL FARRELL, SCHOOL CUSTODIAN to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	97	LETTER dated 4/14/1999 from EUGENE J. DUFFY, JR. to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of qualifications. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	98	LETTER dated 4/22/1999 from STEVEN M. MARMO, to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	99	LETTER dated 4/14/1999 from THOMAS J. KEANEY to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/26/1999	100	LETTER dated 4/21/1999, from MARCOS PERALTA to CLERK OF COURT requesting the addition of his name to the list to become permanent Custodian Engineer with the NYC Board of Education. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	101	LETTER dated 4/19/1999 from IRENE WOLKIEWICZ to CLERK OF COURT objecting to the Retroactive Seniority date and Provisional Hire date, listed in Appendix A. The ltr. states the Provisional hire date and Retroactive seniority date is listed incorrectly in Appendix A as 11/7/1999. The ltr. requests the Court's approval of the correction of the date to 6/20/1994. (Forwarded to Chambers.) [Attached to the ltr. is a copy of the check statement for payroll date 7/14/1994, and a copy of an appointment ltr. dated 6/9/1994 from the Employment Unit at the



		NYC Board of Education as a Provisional School Custodian.] (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	102	LETTER dated 4/19/1999 from PATRICK PIZZO to CLERK OF COURT stating he should be included on the list of offerees for the settlement of the case. (Forwarded to Chambers.) (entered as per wa) (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	103	LETTER dated 4/23/1999 from Arthur Polosino to Clerk of Court in opposition to the recent settlement agreement between the US Justice Department and the NYC BOARD OF EDUCATION on the basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	104	LETTER dated 4/15/1999 from ILYA ASHMYAN to CATE GREEN PARALEGAL SPECIALIST, USDOJ requesting the addition of his name to the settlement agreement between the US Justice Department and the NYC Board of Education . (Forwarded to Chambers.) [Attached are 2 copies of this letter.] (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	105	LETTER dated 4/19/1999 from KEVIN J. LaFaye to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of discrimination. [Attached are copies of Mr. LaFaye's father's birth certificate, death certificate, US Coast Guard ID Card, and Mr. LaFaye's application for examination.] (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/28/1999)
04/26/1999	106	LETTER dated 4/21/1999 from Dorothy Taylor to Clerk of the Court stating she should be included as an offeree in this settlement. [Attached to the letter is a copy of the candidate's personal record of answers for exam # 5040, ltr. dtd. 10/27/1995 from the NYC Board of Education arranging an interview for the position of Provisional Custodian, ltr. dtd. 11/30/1995 from the NYC Board of Education to Ms. Taylor stating there were other candidates more qualified for the position, ltr. dtd. 10/2/1996 from Ms. Taylor to Mr. Lonergen stating she is qualified to handle the duties of Provisional School Custodian, and a copy of the Notice of Result for exam # 1074 for Ms. Taylor.] (Forwarded to Chambers.) (Mackey, Donna) Modified on 04/28/1999 (Entered: 04/28/1999)
04/27/1999	88	LETTER undated from WILLIAM C. ZELL to CLERK OF COURT in opposition to the recent settlement agreement between the US Justice Department and the NYC Board of Education on the basis of retroactive seniority. (Forwarded to Chambers.) (Mackey, Donna) (Entered: 04/27/1999)
04/28/1999	107	ORDER, endorsed on letter dated 4/19/99 from Aaron Schuham to Magistrate Levy, requesting a status conference for 5/13/99. Application granted; Conference set for 5/13/99 @ 4:00pm. ( signed by Magistrate–Judge Robert M. Levy ) (Jean (Entered: 04/28/1999)
05/13/1999	110	Calendar entry: Case called before Magistrate Levy for an status conference. Tape# 99/56:3357–5765. Counsel for all sides present. (Jean (Entered: 06/02/1999)
05/25/1999	108	MEMORANDUM by City of New York in support of entry of settlement agreement and in response to objections (Jean (Entered: 05/25/1999)
05/26/1999	109	LETTER dated 5/17/99 from George W.C. McCarter to Judge Block, regarding the briefing schedule as plttf's motion to intervene. (Jean (Entered: 05/26/1999)
05/27/1999	119	Calendar entry: Case called before Judge Levy for a Fairness Hearing on 5/27/99. Proceeding reported by Court Reporter Dominick Tursi. Appearances: For plaintiff – Aaron Schuham and Tana Lin of US Dept. of Justice, Civil Rights Division and for defendant – Norma Cote and Drake Colley of NYC Law Dept., Office of Corp Counsel, George McCarter on behalf of Intervenors John Brennar, James Ahearn, and James R. Brunkhors, and Stephen Pascal on behalf of Willaim O'Keefe, and numerous objectors. Objectors in attendance each received a packet entitled "Notice &Instructions" re: procedure for speaking at hearing and objectors filed form for each category they wished to speak on. 9 objectors spoke on category one, 4 objectors spoke on category 2, 8 objectors spoke on category 3, 1 objector spoke on category 4, and 18 objectors spoke on category 5 (note: objector 9–14 and

		15-17 did not file forms). Four Exhibits made part of the record in addition to packet. (Ludwig, Michael) (Entered: 06/23/1999)
05/27/1999	120	Exhibit/Exhibit list: Exhibit 1 – Answer sheet for exam No. 1074; Exhibit 2 – copy of previously submitted objection letter by Barbara A. Michelic; Exhibit 3 – Objection Forms filed day of hearing by speakers; 4 – Packet entitled "Notice & Instructions" given to each objector in attendance at hearing. (Ludwig, Michael) (Entered: 06/23/1999)
05/27/1999	121	TRANSCRIPT filed for Fairness Hearing for dates of 5/27/99. (Ludwig, Michael) (Entered: 06/23/1999)
05/27/1999	125	359 TOTAL LETTERS post marked before April 27,1999 from Objectors/Interested Persons who may be affected by the terms of the Settlement Agreement in this case to Judge Levy, including previously docket entries 70, 71, 74, and 76-107. (Ludwig, Michael) (Entered: 07/01/1999)
06/02/1999	111	CONSENT to trial by Magistrate; If appealed, matter will be referred to Circuit Court. (Jean (Entered: 06/02/1999)
06/02/1999		CASE reassigned to Magistrate–Judge Robert M. Levy (Jean (Entered: 06/02/1999)
06/02/1999		CASE NO LONGER REFERRED TO Magistrate–Judge Robert M. Levy. (Lui, Lin) (Entered: 06/08/1999)
06/03/1999	122	LETTER advising parties consent to extend time to serve opposition papers to the pending motion to intervene to 6/9/99 and the reply to 6/21/99, dated 6/3/99 from Norma A. Cote to Judge Levy (Endorsement on document #122: So Ordered. Robert Levy, 6/8/99). (Ludwig, Michael) (Entered: 06/24/1999)
06/04/1999	112	DECLARATION OF BERNARD R. SISKIN (Jean (Entered: 06/04/1999)
06/04/1999	113	LETTER dated 5/25/99 from Aaron Schuham to Magistrate Levy, with regard to the settlement agreement of the United States. (Jean (Entered: 06/04/1999)
06/07/1999	123	LETTER enclosing US' response to the Motion to Intervene of John Brennan, James Ahearn and Kurt Brunkhorst, dated 6/7/99 from Aaron D. Schuham to Judge Levy (Ludwig, Michael) (Entered: 06/24/1999)
06/08/1999	124	MEMORANDUM by United States in opposition to the Motion to Intervene of John Brennan, James Ahearn, and Kurt Brunkhorst, submitted by Marybeth Martin, Tana Lin and Aaron D. Schuham, dated 6/7/99. (Ludwig, Michael) (Entered: 06/24/1999)
06/10/1999	114	MEMORANDUM by City of New York in opposition to motion to intervene (Jean (Entered: 06/10/1999)
06/10/1999	115	DECLARATION OF NORMA COTE Re: opposition to the motion to intervene (Jean (Entered: 06/10/1999)
06/11/1999	116	RESPONSE by United States to motion to intervene (Jean (Entered: 06/11/1999)
06/15/1999	117	MEMORANDUM by William J. Diamond, City of New York, NYC Board of Educati in opposition to motion to intervene (Jean (Entered: 06/15/1999)
06/15/1999	118	DECLARATION OF Norma A. Cote Re: opposition to the motion to intervene (Jean (Entered: 06/15/1999)
06/18/1999	126	LETTER enclosing Motion to Intervene, Certification of John Brennan, Brief in Support of Motion to Intervene and Reply brief in support of motion to intervene dated 6/18/99 from George W. C. McCarter to Judge Levy . (Ludwig, Michael) (Entered: 07/01/1999)
06/18/1999	127	MOTION TO INTERVENE by John Brennan, James G. Ahearn, and Kurt Brunkhorst submitted by Attorneys George McCarter and Michael Rosman, 6/18/99. Motion hearing (Ludwig, Michael) (Entered: 07/01/1999)
06/18/1999	128	CERTIFICATION OF Intervenor JOHN BRENNAN, dated 4/30/99. (Ludwig, Michael) (Entered: 07/01/1999)

06/18/1999	129	MEMORANDUM in support of Motion to Intervene submitted by Attorneys George McCarter and Michael Rosman on behalf of Intervenors John Brennan, James Ahearn, and Kurt Brunkhorst, dated 5/4/99 (filed w/court 6/18/99). (Ludwig, Michael) (Entered: 07/01/1999)
06/18/1999	130	REPLY MEMORANDUM OF LAW in further support of Motion to Intervene submitted by Attorneys George McCarter and Michael Rosman on behalf of Intervenors, dated 6/18/99. (Ludwig, Michael) (Entered: 07/01/1999)
06/25/1999	131	LETTER enclosing copy of defendants' response letter to objectors Anthony and Nicholas Pantelides, together with supporting documentations and advising that both men would be accepted for inclusion among the Hispanic Offerees of the Settlement Agreement, dated 6/25/99 from Attorney Norma A. Cote to Judge Levy. (Ludwig, Michael) (Entered: 07/01/1999)
07/02/1999	132	CORRECTIONS: MEMORANDUM by City of New York in opposition to motion to intervene (Jean (Entered: 07/02/1999)
07/02/1999	134	DECLARATION IN FURTHER SUPPORT OF SETTLEMENT AGREEMENT by James Lonergan, Director of Plant Operations for the New York City Board of Education, submitted 6/30/99 with Exhibit A. (Ludwig, Michael) (Entered: 07/20/1999)
07/19/1999	133	LETTER dated 4.21.99 from Aris Pantelides to Magistrate Levy requesting that the Court "grant (him) permanent status along with the eligible list, as well as retroactive seniority under the same guidelines which are being used for the offerees". (Hunter, Tara) (Entered: 07/20/1999)
07/21/1999	135	LETTER dated 6/30/99 from Norma Cote to Magistrate Levy, enclosing additional declaration and exhibit in support of the proposed settlement agreement. (Jean (Entered: 07/21/1999)
08/27/1999	136	ORDER the parties are requested to provide a response to Mr. Ashmyan, Copy to my Chambers. (signed by Magistrate Robert M. Levy , on 08.18.99) See letter dtd 08.03.99 from Ilya V. Ashmyan to M.J. Levy, re: Objection. Galeano, Sonia (Entered: 08/27/1999)
09/01/1999	137	LETTER responding to court's 8/18/99 order regarding the objection and 8/3/99 letter of Ashmyan regarding parties' settlement agreement dated 9/1/99 from Aaron D. Schuham to Judge Levy (Ludwig, Michael) (Entered: 10/19/1999)
09/01/1999	138	LETTER enclosing and discussing copy of letter from Jorge Trifun's purported objection to proposed settlement dated 9/1/99 from Norma A. Cote to Judge Levy (Ludwig, Michael) (Entered: 10/19/1999)
01/11/2000	139	Calendar entry: Case called before Magistrate Levy for status conference. All parties present. Parties agree to settlement. Tape # 00/3(4070-5116) (Jean (Entered: 01/18/2000)
01/11/2000	142	NOTICE of Attorney Appearance and Substitution of Counsel by United States: Meredith L. Burell to substitute for attorneys Luis Lavin and Tana Lin. (Ludwig, Michael) (Entered: 02/10/2000)
02/09/2000	140	MEMORANDUM and ORDER granting the joint motion of the United States and the New York City Board of Education, the City of New York, Commissioner William J. Diamond, and the New York City Department of Citywide Administrative Services for approval of a proposed Settlement Agreement (signed by Magistrate Judge Robert M. Levy, 2/9/00). (Ludwig, Michael) (Entered: 02/09/2000)
02/09/2000	141	AMENDED MEMORANDUM and ORDER granting joint motion for approval of the proposed Settlement Agreement ( signed by Magistrate Robert M. Levy , on 2/9/00). (Ludwig, Michael) Modified on 04/11/2000 (Entered: 02/10/2000)
02/10/2000	164	LETTER advising court that Defendants' Memorandum in Opposition to Motion to Intervene contained a factual error and attaching highlighted copy of corrections dated 2/10/00 from Norma A. Cote to Judge Levy (court filed amended order remedying this problem on 2/9/00). (Ludwig, Michael) (Entered: 04/11/2000)

02/18/2000	165	MOTION by William J. Diamond, City of New York, NYC Board of Education Motion hearing Motion file stamped: 2/22/00 and mailed/served: 2/18/00: to consider objections from persons whose interests might be affected by the proposed use of the results of Custodian Engineer (BOE) Exam #7004 in random order, rather than in rank order (attaching Wachter and Cline Declarations and Exs. A-C). (Ludwig, Michael) (Entered: 04/11/2000)
02/24/2000	200	ORDER ( signed by Magistrate Robert M. Levy , on 2/24/00) to hold a hearing in order to consider the objections from persons whose interests might have been affected by the use of the results of Custodian Engineer (BOE) Exam # 7004 in random order, rather than in rank order and by the proposed Random Order list. Hearing to be held on April 26, 2000 at 2:00 PM. (Ellern, Lisa) (Entered: 10/11/2000)
03/03/2000	166	LETTER enclosing plaintiff's response to Defendants' Notice of Motion Regarding Custodian Engineer Examination #7004 and the accompanying Declaration of the US's expert Bernard Siskin, Ph.D., dated 3/3/00 from Aaron D. Schuham to Judge Levy. (Ludwig, Michael) (Entered: 04/11/2000)
03/06/2000	143	LETTER dated 02.29.00 from Charles D. Harris to Clerk of the Court, objecting to the Court's approval of the use of the Random Order List. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/07/2000)
03/06/2000	148	LETTER dated 03.02.00 from Frank E. Valdez to RML, re: objection to the random list proposition. (Forwarded to RML) Galeano, Sonia (Entered: 03/15/2000)
03/06/2000	167	RESPONSE by United States to Defendants' Notice of Motion Re: Custodian Engineer Examination #7004 indicating US does not oppose Defendants' proposed alternative use, but would have preferred either of two alternative solutions advanced by the US that would eliminate the adverse impact of the 7004 Exam rather than reduce it and attaching DECLARATION OF BERNARD R. SISKIN, Ph.D. (Ludwig, Michael) Modified on 04/11/2000 (Entered: 04/11/2000)
03/07/2000	147	LETTER undtd from Philip J. Recine to RML: Objecting to Notice of Examination page 3, paragraph 3. (Forwarded to RML) Galeano, Sonia (Entered: 03/15/2000)
03/08/2000	144	LETTER dtd. 3/6/2000 from Robert T. Connor to Clerk of Court stating his objection for the use of Random Order list in the Custodian Engineer Examination #7004. [Forwarded to Magistrate Levy on 3/9/2000 by interoffice mail.] (Mackey, Donna) (Entered: 03/09/2000)
03/08/2000	145	NOTICE OF APPEAL by Proposed Pltffs' Intevenors John Brennan, James G. Ahearn, Kurt Brunkhorst Fee Paid \$ 105.00 Receipt # 229520 [140-1] order, [141-1] order (McGee, Maryann) (Entered: 03/09/2000)
03/09/2000	146	"OBJECTION TO 96-cv-374 by Jose Leal in favor of random order list for custodial engineer (BOE) exam #7004." (Document forwarded to M.J. Levy) Galeano, Sonia Modified on 03/14/2000 (Entered: 03/14/2000)
03/10/2000		Certified copy of docket sheet sent to USCA. [145-1] appeal (Glenn, Marilyn) (Entered: 03/10/2000)
03/16/2000	149	LETTER dated 03.14.00 from Luis Malave to M.J. Levy, in objection to the random list order. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/17/2000)
03/17/2000	150	LETTER dated 03.15.00 from Rosemarie Graffeo to Clerk of the Court, objecting to the proposed random order list for Custodian Engineer Examination #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/20/2000)
03/17/2000	151	LETTER dated 03.15.00 from Joseph Celentano to Clerk of the Court, objecting to the proposed random order list for Custodian Engineer Examination #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/20/2000)
03/17/2000	152	LETTER dated 03.15.00 from Robert J. Stewart, Custodian to Clerk of the Court, objecting to the use of a random list for exam #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/20/2000)

03/21/2000	157	LETTER undtd from Gerardo Guterrez, Jr. to Clerk of the Court, re: Objection to Random Order Listing as to Custodian Engineer Examination #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/27/2000)
03/22/2000	153	LETTER (undated) from Louis Antonio Lopez to Sir or Madam writing in "protest against the approval of the proposed alternative use of the Random Order list for Custodian Engineer (BOE) Examination #7004". (Hunter, Tara) (Entered: 03/24/2000)
03/22/2000	154	OBJECTION, dtd 02.29.00 submitted by Angelo Lisa, Cutodian Engineer with re: to the U.S. proposal to appoint Cutodian Engineers to positions based on random selection and not rank order. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/24/2000)
03/22/2000	156	LETTER dated 03.20.00 from Amin Quanungo to Clerk of the Court, re: Custodian Engineer Examination #7004 and his objection to having been placed in random order list no. 523, instead of rank order list no. 301. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/27/2000)
03/24/2000	155	LETTER dated 03.21.00 from Anita Atkinson to M.J. Levy, objecting to the proposed alternate use of Custodian Engineer Exam #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/24/2000)
03/24/2000	159	LETTER undtd from Gary O'Neil to M.J. Levy, re: objection to random order. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 03/29/2000)
03/27/2000	158	LETTER dated 3/22/00 from Bernard Smiley, (223-06 Francis Lewis Boulevard, Cambria Heights, N.Y. 11411), stating that he was eligible and qualified for custodial engineer and therefore the proposed alternative Use or the Random Order list should be approved by the Court. (Asreen, Wendy) (Entered: 03/28/2000)
03/28/2000	160	LETTER undtd from Arthur Polosino to Clerk of the Court, objecting to the random order of Exam 7004 for Custodian Engineers. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 04/03/2000)
03/31/2000	161	LETTER dated 03.24.00 from Joseph P. Meehan to Clerk of the Court, objecting to random selection process to determine the eligible list re: Custodian Engineer Exam #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 04/04/2000)
03/31/2000	162	LETTER undtd from Darryl W. Mays to Clerk of the Court, objecting to the use of Proposed Alternative Use or the Random Order List. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 04/04/2000)
03/31/2000	163	LETTER dated 03.20.00 from Theodore F. Ziegler to M.J. Levy, objecting to the use of an alternative list for Custodian Engineer (BOE) Examination #7004. (Forwarded to M.J. Levy) Galeano, Sonia (Entered: 04/04/2000)
04/07/2000	168	Calendar entry: Status Conference before Judge Levy. Appearances: Meredith Burrell for Plaintiff and Norma A. Cote for Defendants. The following rulings were made: Pre-hearing status conference held. USA submits binder with alphabetical list of objectors, abstracts and copies of objections. Defendant will serve its rebuttal papers by 4/19/00. Hearing set for 4/26/00 at 2:00 PM before Judge Levy. (Ludwig, Michael) (Entered: 04/11/2000)
04/18/2000	189	LETTER requesting extension to file defendant's reply dated 4/18/00 from Norma Cote to Judge Levy (Endorsement: Application granted. So ordered. Robert Levy, 4/19/00). (Ludwig, Michael) (Entered: 05/26/2000)
04/18/2000	198	MEMORANDUM by United States in response to objections to deft's proposed alternative use of Custodian Engineer Examination #7004 (dated 4/18/00). (Ellern, Lisa) (Entered: 10/10/2000)
04/19/2000	177	AFFIDAVIT by NYC Board of Education/DECLARATION OF JAMES LONERGAN re: proposed alternative use of Custodian Engineer Examination #7004, dated 4/19/00. (Ludwig, Michael) (Entered: 05/18/2000)
04/19/2000	202	LETTER dated 4/18/00 from Norma A. Cote to Judge Levy requesting leave to file papers on April 21 instead of April 19, 2000. Order from Judge Robert M. Levy granting application and signed on 4/19/00. (Ellern, Lisa) (Entered: 10/11/2000)

04/20/2000	173	USCA Scheduling Order: [145-1] appeal Appeal record due by 5/5/00 . USCA Number: 00-6077 Appellant's brief due 5/12/00. Appellee's brief due 6/12/00. Argument set for 7/24/00. (McGee, Maryann) (Entered: 04/27/2000)
04/22/2000	199	MEMORANDUM by Norma A. Cote, Assistant Corporation Counsel: "Defts' Memorandum of Law in support of the proposed alternative use of exam #7004 and in response to objections." Dated 4/22/00. (Ellern, Lisa) (Entered: 10/10/2000)
04/24/2000		Certified and transmitted INDEX on appeal to U.S. Court of Appeals: [145-1] appeal. Revised Index sent to attorney. Acknowledgment requested. (McGee, Maryann) (Entered: 04/26/2000)
04/24/2000	178	AFFIDAVIT by City of New York/FURTHER DECLARATION OF CAROL WACHTER Re: Proposed Alternative Use of Custodian Engineer Examination #7004, dated 4/24/00. (Ludwig, Michael) (Entered: 05/18/2000)
04/25/2000	169	LETTER dated 5/13/98 from Aaron Schuham to Magistrate Levy regarding the United States' pending motion to try the adverse impact and recruitment claims. (Jean (Entered: 04/25/2000)
04/25/2000	171	LETTER dated 9/21/98 from Tana Lin to Magistrate Levy concerning the United States' request for the production of documents. (Jean (Entered: 04/25/2000)
04/25/2000	172	LETTER dated 10/1/98 from Norma Cote to Magistrate Levy responding to plttf objection to the expert report of Dr. Richard Reilly. (Jean (Entered: 04/25/2000)
04/26/2000	176	137 TOTAL OBJECTION LETTERS and 22 Petitions submitted to the court by objectors to the Proposed Alternative use of Custodian Engineer Examination #7004 for consideration prior to the fairness hearing to be held before Judge Levy on 4/26/00. (Ludwig, Michael) (Entered: 05/18/2000)
04/26/2000	179	Calendar entry: Civil Cause for Fairness Hearing held before Judge Levy on 4/26/00 at 2:00 PM. Appearances: Aaron Schumann and Meredith Burrell appeared for plaintiff and Norma A. Cote for defendant. 17 objectors to Exam 7004 Random List spoke at hearing. Court Reporter: Gene Rudolph (transcript to be filed). (Ludwig, Michael) (Entered: 05/18/2000)
04/26/2000	180	Exhibit List: 1 - Objectors to Exam 7004 Random List submitted by US; 2 - 4/25/00 Letter from Alfred E. Lori; 3- List Placement of Minorities on Original and Proposed Lists handed up to court by Objector Peter Navetta; 4- submissions by objector Michael Reilly; 5-Application for Examination submitted by objector Steven Terwilliger; 6- additional petition submitted. (Ludwig, Michael) (Entered: 05/18/2000)
04/28/2000	188	LETTER requesting a month continuance to obtain counsel and conduct discovery, obtain and expert and submit a report, dated 4/28/00 from Objector Micael Reilly to Judge Levy. (Ludwig, Michael) (Entered: 05/19/2000)
04/28/2000	201	LETTER dated 4/28/00 from Michael Reilly to Judge Levy asking for a continuance. (Ellern, Lisa) (Entered: 10/11/2000)
05/01/2000	197	LETTER dated 5/1/00 from Timothy A. Thompson to Judge Levy oppsoing statements made by Norma A. Cote during the 4/26/00 fairness hearing. (Ellern, Lisa) (Entered: 10/10/2000)
05/02/2000	196	LETTER dated 5/2/00 from Katerine A. Baldwin to Judge Levy in response to Michael Reilly's April 28, 2000 letter and opposing Mr. Reilly's request for a continuance. (Ellern, Lisa) (Entered: 10/10/2000)
05/03/2000	195	LETTER dated 5/3/00 from Norma A. Cote to Judge Levy opposing the application of Michael Reilly requesting a continuance and a discovery conference. (Ellern, Lisa) (Entered: 10/10/2000)
05/16/2000	181	LETTER enclosing documents that were inadvertently not docketed (United States' Memorandum in support of entry of settlement agreement and in response to objections, dated 5/21/99, Attachment 2 thereto (Declaration of Aaron D. Schuham) including Exhibits A &B, Attachment 3 thereto (Declaration of Orley C. Ashenfelter) dated 5/16/00 from Aaron D. Schuham to the Court. (Ludwig, Michael) (Entered: 05/19/2000)

05/16/2000	182	MEMORANDUM by United States in support of entry of settlement agreement and in response to objections submitted by Aaron D. Schuham, dated 5/21/99. (Ludwig, Michael) (Entered: 05/19/2000)
05/16/2000	183	MEMORANDUM by United States in support of entry of settlement agreement and in response to objections – ATTACHMENT 2, dated 5/14/99. (Ludwig, Michael) (Entered: 05/19/2000)
05/16/2000	184	DECLARATION by NYC Board of Education of AARON D. SCHUHAM, Exhibit A, (Plaintiff's 1st set of requests for admission), dated 5/8/98. (Ludwig, Michael) (Entered: 05/19/2000)
05/16/2000	185	DECLARATION by United States of Aaron D. Schuham, Exhibit B (Defendants' response to plaintiff's 1st expert set of requests for admissions), dated 6/5/98. (Ludwig, Michael) (Entered: 05/19/2000)
05/16/2000	186	MEMORANDUM by NYC Board of Education in support of entry of settlement agreement and in response to objections, ATTACHMENT 3 (Declaration of Orley C. Ashenfelter), dated 4/1/99. (Ludwig, Michael) (Entered: 05/19/2000)
05/17/2000	187	ORDER denying Objector Michael Reilly's motion for a continuance to obtain counsel, retain an expert and conduct discovery ( signed by Magistrate Robert M. Levy , on 5/17/00) (Ludwig, Michael) (Entered: 05/19/2000)
05/19/2000	192	LETTER dated 5/17/00 from Michael Reilly to Judge Robert Levy informing that he has no legal representation so is unable to intervene in the caes as a "party to the action." (Ellern, Lisa) (Entered: 09/08/2000)
05/24/2000		Transmitted first supplemental INDEX on appeal: [145–1] appeal. INDEX consists of documents: 181–188. This supplemental INDEX is being done at the request of Aaram Schuham – U.S. Dept of Justice. Docket sheet forwarded via Federal Express (Tracking #s 809824547732; 809824547743; 809824547754) to Mr. Schuham, Norma Cote (Corporation Counsel) and Michael Rosman (Center for Individual Rights) (McGee, Maryann) Modified on 05/25/2000 (Entered: 05/24/2000)
05/25/2000	190	TRANSCRIPT filed for [179–1] miscellaneous for FAIRNESS HEARING held before Judge Levy on 4/26/00. (Ludwig, Michael) (Entered: 05/26/2000)
06/09/2000	191	Acknowledgment of 1st supplemental from USCA received re: [145–1] appeal. Acknowledgment signed by R.D. on 6/6/00. USCA# 00–6077. (Vasquez, Liz) (Entered: 06/09/2000)
08/30/2000	193	LETTER dated 8/30/00 from Norma A. Cote to Judge Levy expressing the Board of Education's acute need for a ruling on the permissible configuration of the eligible list from Custodian Engineer Examination #7004. (Ellern, Lisa) (Entered: 10/05/2000)
09/25/2000	194	MEMORANDUM and ORDER approving the proposal "Proposed Alternative Use" to reduce the adverse impact of Custodian Engineer (BOE) Examination #7004 ( signed by Magistrate Robert M. Levy , on 9/25/00) (Ellern, Lisa) (Entered: 10/10/2000)
10/11/2000	205	Exhibit REPORT CONTAINING THE FOLLOWING DOCUMENTS: (1) "Adverse Impact (If Any) Analysis for Open Ceompetitive Engineer Exam # 8206 prepared b Dr. Philip Bobko, Nov. 12, 1997, & resume of both Philip Bobko and Richard Reilly (2) "Adverse Impact (If Any) Analysis for Promotional Engineer Exam #8609" prepared by Dr. Philip Bobko, Nov. 12, 1997 (3) "Adverse Impact (If Any) Analysis for School Custodian Exam #1074" prepared by Dr. Philip Bobko, Nov. 12, 1997 (4)"Adverse Impact (If Any) Analysis for School Custodian Exam #5040" prepared by Dr. Philip Bobko, Nov. 12, 1997 (4) "Criterion–Related Validation of Examination 1074 for School Custodians" Assessment Alternatives Inc. (5) "Criterion–Related Validation of Examination 5040 for School Custodians" Assessment Alternatives, Inc. (6) "Content Validation of Examination 8206, 5040, and 1074" Final Report to The City of NY, Prepared by Assessment Alternatives, Inc. (Ellern, Lisa) (Entered: 10/11/2000)

08/17/2001	211	ORDER scheduling a telephone conference for September 11, 2001 at 11:00 AM ( signed by Magistrate Robert M. Levy , on 8/17/01) (Ellern, Lisa) (Entered: 09/06/2001)
10/02/2001	212	MANDATE OF USCA (certified copy) Re: [145-1] appeal. On consideration whereof, it is now hereby ordered, adjudged and decreed that the judgment of said district court be and it hereby is vacated and remanded for further proceedings in accordance with the opinion of this court. Issued as Mandate: 9/27/01. Judge Notified. Ackn. mailed. USCA# 00-6077. (Vasquez, Liz) Modified on 10/03/2001 (Entered: 10/03/2001)
10/05/2001	213	Calendar entry: Court Reporter/ESR 3088-5119 Tape # 101. Briefing schedule for answers or motions (Ellern, Lisa) (Entered: 10/12/2001)
10/18/2001	214	First AMENDED Complaint in Intervention: amending [1-1] complaint. (fe) (Entered: 10/24/2001)
11/09/2001	215	Second AMENDED intervenor's COMPLAINT : amending [214-1] intervenor complaint submitted by George McCarter & Michael Rosman, Co-Counsel for Pltffs./Intervenors. (fe) (Entered: 11/14/2001)
11/14/2001	216	TRANSCRIPT filed for dates of 10/5/01 for telephone conference before M.J. Levy. Transcribed by Courthouse Transcription Service, Inc. (fe) (Entered: 11/14/2001)
11/16/2001	219	LETTER dated 11/15/01 from Meredith Burrell, Counsel for Pltff. to Clerk of Court advising of change of mailing address. (fe) (Entered: 11/20/2001)
11/16/2001	220	United States' MOTION to dismiss Intervenors' First Amended Complaint in Intervention . (fe) (Entered: 11/20/2001)
11/16/2001	221	MEMORANDUM by United States in support of [220-1] motion to dismiss Intervenors' First Amended Complaint in Intervention (fe) (Entered: 11/20/2001)
11/19/2001	217	LETTER dated 11/9/01 from Aaron Schuham and Norma Cote, Counsel for parties to M.J. Levy requesting a pre-motion conference. (fe) (Entered: 11/19/2001)
11/19/2001	218	ORDER stating a telephone pre-motion conference is scheduled for 12/14/01 @ 3:30 p.m. Pltff.'s counsel is requested to initiate the conference call and confirm all necessary participants are aware of the conference. Any requests for adjournment must be made at least 48 hours before the scheduled conference. (Signed by M.J. Levy, on 11/16/01). (fe) (Entered: 11/19/2001)
11/27/2001	222	Notice of MOTION by 115-13 120th Street, William J. Diamond, City of New York, NYC Board of Education for partial dismissal and/or summary judgment against the First Amended Complaint of the Intervenors . (fe) (Entered: 11/29/2001)
11/27/2001	223	Rule 56.1 Statement(formerly Rule 3(g) by 115-13 120th Street, William J. Diamond, City of New York, NYC Board of Educati re: [222-1] motion for partial dismissal and/or summary judgment against the First Amended Complaint of the Intervenors. (fe) (Entered: 11/29/2001)
11/27/2001	224	DECLARATION of Michael I. DeVito Re: [223-1] statement, [222-1] motion for partial dismissal and/or summary against the First Amended Complaint of the Intervenors. (fe) (Entered: 11/29/2001)
11/27/2001	225	Defendants' MEMORANDUM of Law in Support of their Motion for Partial Dismissal and/or Summaru Judgment Against the First Amended Complaint in Intervention. (fe) (Entered: 11/29/2001)
11/30/2001	226	Notice of United States and Municipal Defendants' Joint Motion to Strike [215-1] the second amended complaint in intervention . (fe) (Entered: 12/03/2001)
11/30/2001	227	MEMORANDUM in Support of [226-1] United States and Municipal Defendants' Joint Motion to Strike [215-1] the Second Amended Complaint in Intervention. (fe) (Entered: 12/03/2001)



12/14/2001	228	Calendar entry: Before M.J. Levy on 12/14/01 @ 3:30 p.m. Case called for telephone conference. Counsel for all parties present. Pltffs. & Defts. agree, without objection from intervenors, to approval of settlement agreement, with exception of paragraphs 13–16 will submit proposed order. Briefing schedule: 12/21: opposition to motion to dismiss; 1/11: reply; 1/4/02: to amend Complaint in Intervention or to intervene & opposition to motion to strike; 1/31/02: opposition to motion to amend & reply to motion to strike; 2/15/02: reply to motion to amend. Tape # 01/124: 0–3050. (fe) Modified on 12/20/2001 (Entered: 12/20/2001)
12/20/2001	229	LETTER dated 12/7/01 from Michael Rosman responding to the letter dated 11/9/01 from Counsel for Pltff. and Defts. seeking a pre-motion conference; objecting to the promotion provisions in paragraph 13 of the Settlement Agreement; advising of the intention to cross-move to amend the initial complaint and/or intervene on behalf of new clients that were included in the 2nd Amended Complaint and requesting the Court's permission to make such a cross-motion during the conference on 12/14/01. (fe) (Entered: 12/20/2001)
01/02/2002	290	ORDER endorsed on letter dated 12/30/02 from Norma Cote to Magistrate Levy. Application granted. Time to respond on objection due 1/31/03. (signed by Magistrate Robert M. Levy, on 1/24/03) (Black, Amanda) (Entered: 01/29/2003)
01/07/2002	232	Notice of MOTION by John Brennan, James G. Ahearn, Kurt Brunkhorst to amend complaint in intervention and add Scott Spring, Dennis Mortenson, and Ernie Tricmi as plaintiffs–intervenors (fe) (Entered: 01/17/2002)
01/07/2002	233	Notice of MOTION to intervene as additional plaintiffs–intervenors by Scott Spring, Dennis Mortenson, and Ernie Tricomi (fe) (Entered: 01/17/2002)
01/07/2002	234	Plaintiffs–Intervenors' MEMORANDUM in Opposition to the [226–1] Joint Motion Strike and in Support of Their Motion to Amend the Complaint and/or Intervene. (fe) (Entered: 01/17/2002)
01/07/2002	235	Statement of Michael E. Rosman in opposition to the [226–1] joint motion to strike [215–1] the second amended complaint in intervention. (fe) (Entered: 01/17/2002)
01/11/2002	244	United States' Reply to Intervenors' Response to United States' [220–2] Motion to Dismiss Intervenors' First Amended Complaint in Intervention. (fe) (Entered: 03/01/2002)
01/15/2002	230	Defendants' REPLY MEMORANDUM OF LAW in further support of their [222–1] motion for partial dismissal and/or summary judgment against the First Amended Complaint in Intervention. (fe) (Entered: 01/16/2002)
01/15/2002	231	Supplemental Declaration of Michael I. DeVito in further support of Defts.' motion for partial summary judgment against the First Amended Complaint of the Intervenors (fe) (Entered: 01/16/2002)
01/18/2002	236	ORDER endorsed on letter dated 12/19/01 from Meredith Burrell stating any objections to the proposed order submitted by the United States shall be filed by January 31, 2002. Movant's Counsel is directed to serve a copy of this order on all parties upon receipt. (Signed by M.J. Levy, on 1/16/02). (fe) Modified on 01/18/2002 (Entered: 01/18/2002)
01/28/2002	237	TRANSCRIPT filed for [228–1] miscellaneous for dates of 12/14/01 for Civil Cause for Conference before M.J. Levy. (fe) (Entered: 01/28/2002)
01/29/2002	238	ORDER endorsed on letter dated 1/22/02 from Norma Cote granting the parties' application. Oral argument will be held on all pending motions on 2/28/02 @ 12:30 p.m. (Signed by M.J. Levy, on 1/25/02). (fe) (Entered: 01/29/2002)
01/31/2002	239	United States' Reply to MEMORANDUM in Support of United States' and Municipal Defendants Joint Motion to Strike and United States' Response to Intervenors' Motion to Amend First Amended Complaint in Intervention and/or Motion to Intervene. (fe) (Entered: 02/04/2002)
02/06/2002	240	Defendants' MEMORANDUM of Law in Response to the Motions of Intervenors Brennan et al. to Amend and/or of Spring et al. to Intervene, and in Further Opposition to the Attempt to Add Intervenors Unilaterally. (fe) (Entered: 02/06/2002)

02/06/2002	241	Declaration of Norma Cote on the various motions concerning the addition of 3 new intervenors in this case. (fe) (Entered: 02/06/2002)
02/15/2002	242	Plaintiffs-Intervenors' Reply MEMORANDUM by John Brennan, James G. Ahearn in support of their [232-1] motion to amend complaint in intervention and add Scott Spring, Dennis Mortenson, and Ernie Tricmi as plaintiffs-intervenors. (fe) (Entered: 02/22/2002)
02/28/2002	243	ORDER endorsed on letter dated 2/21/02 from all Counsel stating the application is granted with leave to seek reconsideration for good cause, no later than 2/28/02; the opposition shall be filed no later than 3/18/02 and the reply by 4/1/02. (Signed by M.J. Levy, on 2/21/02). (fe) (Entered: 02/28/2002)
02/28/2002	246	Calendar entry: Before M.J. Levy on 2/28/02 @ 12:30 p.m. Case called for status conference. Counsel for all parties present. Court Reporter: Fred Guerino. Oral argument held; parties to supplement brief according to schedule as explained on record; settlement agreement approved, with exception of paragraphs 13-16. (fe) (Entered: 03/07/2002)
03/04/2002	245	ORDER stating with the consent of the parties and intervenors, it is Ordered that with the exception of paragraphs 13, 14, 15 and 16, all provisions of the Settlement Agreement filed with the Court on 2/11/99 are approved. (Signed by M.J. Levy, on 2/28/02). (fe) (Entered: 03/04/2002)
03/12/2002	248	Plaintiffs-Intervenors' Objections to Discovery Rulings of M.J. Levy Pursuant to 28 U.S.C. 636 (b) and FRCP 72 (a). (fe) (Entered: 03/20/2002)
03/18/2002	247	LETTER dated 2/28/02 from Norma Cote to M.J. Levy enclosing the citation list of cases mentioned during oral argument on 2/28/02. (fe) (Entered: 03/18/2002)
03/20/2002	249	ORDER endorsed on letter dated 3/15/02 from Aaron Schuham stating the application for an extension is granted. The United States' and Municipal Defendants' time to file responsive papers to the Motion for Preliminary Injunction is extended 3 weeks, to 4/8/02, in both 96-cv-0374 & 02-cv-256. The remaining deadlines are extended to 5/17/02. (Signed by M.J. Levy, on 3/15/02). (fe) (Entered: 03/21/2002)
03/21/2002	250	LETTER dated 3/18/02 from Norma Cote to M.J. Levy requesting an additional 2 week extension of time to respond to the preliminary injunction motion and enclosing a proposed Revised Scheduling Order. (fe) (Entered: 03/21/2002)
03/21/2002	251	LETTER dated 3/18/02 from Michael Rosman to M.J. Levy responding to Aaron Schuham's letter of 3/15/02 & Norma Cote's letter of 3/18/02. (fe) (Entered: 03/21/2002)
03/28/2002	252	United States' RESPONSE in opposition to [248-1] Intervenors' objections to discovery rulings of M.J. Levy pursuant to 28 USC 636(b) & FRCP 72(a). (fe) (Entered: 04/08/2002)
03/28/2002	253	Defendants' RESPONSE in opposition to [248-1] Intervenors' objections to M.J. Levy's order staying discovery. (fe) (Entered: 04/08/2002)
04/08/2002	254	MEMORANDUM by United States/Federal Defts. in partial opposition to Intervenors'/Pltffs. Motions for preliminary injunction. (fe) Modified on 04/09/2002 (Entered: 04/09/2002)
04/10/2002	255	NOTICE of withdrawal of Counsel by United States dated 4/8/02 and stating Marybeth Martin, Aaron Schuham, Meredith Burrell will no longer represent the United Staes. (fe) (Entered: 04/10/2002)
04/10/2002	256	NOTICE of Appearances of Counsel for United States by John M. Gadzichowski, Charles Leggott, Jodi Danis. (fe) (Entered: 04/10/2002)
04/10/2002	257	CERTIFICATE OF SERVICE of Pltff. United States'/Federal Defendants' Opposition to Intervenors'/Pltffs.' Motion for Preliminary Injunction. (fe) (Entered: 04/16/2002)
04/15/2002	258	LETTER dated 4/11/02 from George McCarter to M.J. Levy requesting an adjournment to 4/29/02 of the date for filing reply papers relating to the pending

		applications for preliminary injunctions in both matters. (fe) (Entered: 04/17/2002)
04/23/2002	259	ORDER endorsed on letter dated 4/17/02 from Norma Cote, stating the application requesting the opportunity to submit supplementary papers to the position taken by DOJ on the preliminary injunction is granted. Papers to be served by 4/24/02. (Signed by M.J. Levy, on 4/22/02). (fe) (Entered: 04/23/2002)
04/25/2002	260	ORDER endorsed on letter dated 4/19/02 from Michael Rosman, stating the application is granted. Intervenor/Pltffs. time to submit reply papers is extended to a date 14 days after service of opposition papers. (Signed by M.J. Levy, on 4/23/02). (fe) (Entered: 04/25/2002)
05/22/2002	261	Dfts' Notice of Motion for approval of paragraph 13 of the settlement agreement . Motion hearing not set . (Latka (Entered: 05/29/2002)
05/22/2002	262	Defendants' MEMORANDUM of Law in support of [261-1] motion for approval of paragraph 13 of the settlement agreement. (Latka (Entered: 05/29/2002)
05/22/2002	263	LETTER dated 5/21/02 from Norma Cote to Magistrate Levy enclosing defendants' papers on the intervenors' standing. (Black, Amanda) (Entered: 06/12/2002)
06/14/2002	265	LETTER dated 6/13/02 from Jodi Danis to Clerk of Court enclosing the United States' response to municipal defendants' motion of the settlement agreement. (Black, Amanda) (Entered: 06/26/2002)
06/17/2002	266	INTERVENORS' MEMORANDUM OF LAW IN OPPOSITION TO DFTS' MOTION TO APPROVE PARAGRAPH 13 OF THE AGREEMENT AND REGARDING THEIR INTERESTS AND STANDING by John Brennan, James G. Ahearn, Kurt Brunkhorst, Scott Spring, Ernest Tricomi, and Dennis Mortensen in opposition to [261-1] motion for approval of paragraph 13 of the settlement agreement. (Latka (Entered: 06/26/2002)
06/17/2002	267	STATEMENT OF JOHN CARACCIOLA Re: [261-1] motion for approval of paragraph 13 of the settlement agreement. (Latka (Entered: 06/26/2002)
06/17/2002	268	STATEMENT OF ALFREDO LORI Re: [261-1] motion for approval of paragraph 13 of the settlement agreement. (Latka (Entered: 06/26/2002)
06/26/2002	264	ORDER, Granting an extension to June 28, 2002. See letter dated June 19, 2002 to Hon. Robert M. Levy from Norma A. Cote. (signed by Magistrate Robert M. Levy, on 06/21/02) (Lee, Stephen) (Entered: 06/26/2002)
07/08/2002	269	REPLY MEMORANDUM OF LAW by NYC Board of Educati in further [261-1] motion for approval of paragraph 13 of the settlement agreement. (Black, Amanda) (Entered: 07/08/2002)
07/26/2002	270	MEMORANDUM and ORDER regarding the motion for a preliminary injuction is denied. (signed by Magistrate Robert M. Levy, on 7/24/02) (Black, Amanda) (Entered: 07/26/2002)
08/13/2002		AFFIDAVIT of Eric Schauer in support of plaintiffs' objections to the Report of the Magistrate Judge in this case. Attached exhibits 1-4 (original docketed under 02-cv-256 document # 57). (Dobkin, David) (Entered: 08/13/2002)
08/27/2002	271	RESPONSE by the United States to Plaintiffs'/Intervenors' objections to the report & recommendation of Magistrate Judge Levy denying Pltffs'/Intervenors' motion for a preliminary injunction. [w/attached exhibits 1-4]. (Barrett, Charryse) (Entered: 08/27/2002)
09/30/2002	272	MEMORANDUM and ORDER: the motion of Scott Spring, Ernest Tricomi, and Dennis Mortensen to intervene is granted. The Court declines to approve paragraph 13 of the Agreement at this time. The motions of the Municipal Defendants and the United States to dismiss or strike are granted: this Court will consider all of the Intervenor's arguments in light of the guiding principles established by the Second Circuit for evaluating settlement agreements. All parties are directed to appear before me for a conference on Wednesday 10/30/02 at 3:00 p.m., at which any outstanding issues will be addressed and a discovery schedule will be established. (signed by Magistrate Robert M. Levy, on 9/30/02) (see Memorandum and Order

		for further details). (Black, Amanda) (Entered: 09/30/2002)
10/02/2002	274	ORDER endorsed on letter dated 10/23/02 from Emily Martin to Magistrate Levy. Proposed intervenors may participate conditionally in the 10/30/02 conference. (signed by Magistrate Robert M. Levy, on 10/29/02) (Black, Amanda) (Entered: 10/30/2002)
10/16/2002	273	Intervenors' objections to rulings of Mag. Levy pursuant to 28 USC 636(b) and Fed. R. Civ. P. 72 of by John Brennan, James G. Ahearn, Kurt Brunkhorst. Attached exhibits A-C. (Dobkin, David) (Entered: 10/17/2002)
10/30/2002	275	Plaintiff United States' Response to Intervenors' Objections to Rulings of Mag. Levy. (Dobkin, David) (Entered: 11/04/2002)
10/30/2002	283	Calendar entry: Status Conference and oral argument held before Magistrate Levy on 10/30/02. Decision reserved. Ruling made on record. Tape # 76 (3426-end) and # 77 (0-852). (Black, Amanda) (Entered: 12/11/2002)
11/01/2002	276	MOTION by United States to intervene by Janet A. Caldero , Motion hearing [276-1] motion (Black, Amanda) (Entered: 11/08/2002)
11/01/2002	277	MEMORANDUM OF LAW in Support of Motion to Intervene by Janet A. Caldero in support of [276-1] motion to intervene by Janet A. Caldero, et al. (Black, Amanda) (Entered: 11/08/2002)
11/06/2002	286	DEFENDANT'S Response to the Intervenors' Objections to Magistrate Levy's Memorandum and Order Dismissing the Intervenors' Legal Claim for an Injunction. (Black, Amanda) (Entered: 12/20/2002)
11/19/2002	281	LETTER dated 11/14/02 from Emily Martin to Magistrate Levy attaching a substitute Proposed Complaint in Intervention. (Proposed Complaint Intervention attached). (Black, Amanda) (Entered: 12/04/2002)
11/20/2002	278	LETTER dated 11/15/02 from Michael Rosman to Mag. Levy, stating that the parties have conferred and selected three weeks for fact discovery to be taken. (Dobkin, David) (Entered: 11/20/2002)
11/25/2002	279	TRANSCRIPT of civil cause for status conference before Magistrate Levy filed for dates of 10/30/02. (Black, Amanda) (Entered: 11/25/2002)
12/04/2002	280	LETTER dated 11/14/02 from Emily Martin to Magistrate Levy consenting to this case being referred to Magistrate Levy. (Black, Amanda) (Entered: 12/04/2002)
12/10/2002	282	NOTICE of attorney appearance for United States by Keisha Dawn Bell. (see case 02-cv-256 for original) (Dobkin, David) (Entered: 12/10/2002)
12/10/2002	284	LETTER dated 12/6/02 from John Gadzichowski to Clerk of Court informing that 7885 is registered as the four digit number that will be used on all documents. (Black, Amanda) (Entered: 12/13/2002)
12/18/2002	285	LETTER dated 12/6/02 from Jodi Danis to Clerk of the Court, advising how she would like to register pursuant to Local Rule 11.1(b). (Dobkin, David) (Entered: 12/18/2002)
01/03/2003	287	LETTER dated 12/31/02 from Michael E. Rosman to Magistrate Levy responding to Norma Cote's letter. (Black, Amanda) (Entered: 01/08/2003)
01/06/2003	289	LETTER dated 1/3/03 from Michael E. Rosman to RML re: dispute between the Brennan Intervenors and defts. (Glenn, Marilyn) (Entered: 01/23/2003)
01/07/2003	288	MOTION to Amend Proposed Intervenors' motion to Intervene by Janet A. Caldero to amend [288-1] motion , (Black, Amanda) (Entered: 01/10/2003)
01/28/2003	292	MOTION by United States for protective order [292-1] motion (Black, Amanda) (Entered: 01/31/2003)
01/29/2003	291	ORDER: Scheduling a conference for 3/6/03 at 2:00 p.m. has been changed to 3:00 p.m. before Magistrate Levy, in courtroom 619. (signed by Magistrate Robert M. Levy, on 1/24/03) (Black, Amanda) (Entered: 01/29/2003)

02/03/2003	293	ORDER: This Court will initiate a telephone conference in the above-captioned case on 2/3/03 at 10:00 a.m., before Magistrate Levy. All parties must be available at this time. (signed by Magistrate Robert M. Levy, on 1/31/03) (Black, Amanda) (Entered: 02/03/2003)
02/03/2003	294	Calendar entry: Conference by telephone held before Magistrate Levy on 2/3/03. (1) Parties' stipulation to take 65 depositions approved. Discovery schedule modified as follows: 3/3/03 status report; 4/4/03 completion of fact discovery; Brennan Intervenors' expert disclosure and reports; 5/2/03 all other parties' expert disclosure and reports; 6/6/03 rebuttal expert reports; 7/11/03 completion of expert discovery. (2) All conference participants stipulate that the scope of intervention of the proposed Caldero Intervenors will be limited to the recruitment and testing claims alleged in plaintiff's complaint. Parties further agree that intervention is appropriate, but Brennan and Caldero Intervenors disagree whether intervention should be permissive or as of right. All conference participants shall advise the court by 2/7/03: (a) whether they agree to permissive intervention, without prejudice to the Caldero Intervenors' right to renew their motion to intervene as of right; and (b) if not, whether they seek a decision from Judge Block or consent to a decision of this issue by a magistrate judge. (3) All outstanding discovery disputes resolved as follows: (a) modifying a prior order, only affirmative answers to questions about criminal convictions will be sealed; (b) defendants shall respond to the Brennan Intervenors' Interrogatory No. 3, as set forth on th record; (c) the Brennan Intervenors' motion to compel documents responsive to Document Request No. 2 is denied; order to follow. Tape # 03/12: 0-3785. Next conference scheduled for 3/6/03 at 3:00 p.m. by telephone. (Black, Amanda) (Entered: 02/05/2003)
02/04/2003	301	JOINT MOTION For Entry of Stipulation Waiving Deposition Limits , Motion hearing [301-1] motion (Black, Amanda) (Entered: 02/12/2003)
02/05/2003	295	LETTER dated 12/31/02 from Michael E. Rosman to Magistrate Levy responding to Norma Cote's letter. (Black, Amanda) (Entered: 02/05/2003)
02/05/2003	296	LETTER dated 1/23/03 from Michael E. Rosman to Magistrate Levy writing about a discovery dispute between the Brennan Intervenors and defendants. (Black, Amanda) (Entered: 02/05/2003)
02/05/2003	297	LETTER dated 1/23/03 from Michael E. Rosman to Magistrate Levy seeking a change in the discovery schedule. (Black, Amanda) (Entered: 02/05/2003)
02/05/2003	298	JOINT MOTION for Entry of Stipulation Waiving Deposition Limits Motion hearing (Black, Amanda) (Entered: 02/07/2003)
02/05/2003	299	STIPULATION and ORDER: Plaintiff United States, Defendants, and Intervenor-Objectors, through their undersigned counsel, hereby stipulate and agree that the deposition limit of ten depositions per party, pursuant to Fed. R. Civ. P. 30(a)(2), shall not apply in this case. The parties have agreed that the total number of depositions of fact witnesses to be taken by all of the present parties, combined, shall not exceed, unless further leave of Court to exceed this number is sought for good cause and is obtained. IT IS ORDERED (signed by Magistrate Robert M. Levy) (Black, Amanda) (Entered: 02/07/2003)
02/10/2003	303	LETTER dated 2/7/03 from Emily Martin to Mag. Levy re: enclosure proposed joint motion for entry o stipulation and order and Stip and Order.(unsigned by Mag. Levy). w/enclosure. (Dobkin, David) (Entered: 03/03/2003)
02/12/2003	300	LETTER dated 1/23/03 from Michael E. Rosman to Magistrate Levy requesting an adjustment in the current discovery deadlines. (Black, Amanda) (Entered: 02/12/2003)
02/12/2003	302	STIPULATION and ORDER: Plaintiff United States, Defendants, and Intervenor-Objectors, through their undersigned counsel, hereby stipulate and agree that the deposition limit of ten depositions per party, pursuant to Fed. R. Civ. P. 30(1)(2), shall not apply in this case. The parties have agreed that the total number of depositions of fact witnesses to be taken by all of the present parties, combined, shall not exceed, unless further leave of Court to exceed this number is sought for good cause and is obtained. (signed by Magistrate Robert M. Levy, on 2/11/03) (Black, Amanda) (Entered: 02/12/2003)

02/13/2003	<u>335</u>	STIPULATION AND ORDER granting motion for permissive intervention in these actions. Signed by Judge Frederic Block on 6/17/2003. (Dobkin, David) (Entered: 06/25/2003)
03/07/2003	304	TRANSCRIPT of Civil Cause for Status Conference before Magistrate Levy filed for dates of 2/3/03. (Black, Amanda) (Entered: 03/07/2003)
03/07/2003	305	Calendar entry: Conference held before Magistrate Levy on 3/7/03. Fact discovery deadline extended to 6/4/03 because of delays in document production. Expert discovery deadlines unchanged, as only proposed Caldero defendants' expert reports are likely to be affected by document production delays, as they address the recruitment claims. Any further extensions must be supported by a showing of good cause. By 3/14/03, the parties shall submit a joint schedule for the completion of the remaining depositions of offerees and objectors, as discussed at this conference. All 30(b)(6) depositions shall be completed by 5/23/03. Discovery deadline 6/4/03 (Fact); 7/11/03 (Expert). Next conference scheduled for 7/18/03 at 3:00 by telephone. (Black, Amanda) (Entered: 03/14/2003)
03/11/2003	308	ORDER: To admit Hans Frank Bader as Counsel Pro Hac Vice for Plaintiffs is Granted. (Signed by Magistrate Robert M. Levy on 2/25/03). (Black, Amanda) (Entered: 03/17/2003)
03/11/2003	309	DECLARATION of Hans Frank Bader in support of Motion to Admit him as counsel Pro Hac Vice. (Black, Amanda) (Entered: 03/17/2003)
03/13/2003		CASE reassigned to Judge Frederic Block. Parties notified. (Villanueva, William) (Entered: 03/18/2003)
03/14/2003	306	LETTER dated 3/3/03 from Michael E. Rosman to Magistrate Levy writing on the status of the case. (Black, Amanda) (Entered: 03/14/2003)
03/14/2003	307	LETTER dated 2/7/03 from Emily J. Martin to Magistrate Levy advising that counsel have agreed to submit motion and proposed stipulation and order to Judge Block for his approval. (Black, Amanda) (Entered: 03/14/2003)
03/19/2003	310	LETTER dated 3/14/03 from Jodi Danis to Mag. Levy, sending to the Court an intended schedule for the remaining depositions to be taken during the fact discovery phase of this case. (Dobkin, David) (Entered: 03/19/2003)
03/21/2003	311	LETTER dated 3/3/03 from Michael E. Rosman to Magistrate Levy writing to provide a status report. (Black, Amanda) (Entered: 03/21/2003)
03/24/2003	312	LETTER dated 3/14/03 from Jodi Danis to Mag. Levy, regarding the proposed schedule for depositions in the above case. (Dobkin, David) (Entered: 03/24/2003)
04/01/2003	313	MAIL RETURNED notification of case reassignment returned on 3/31/03. Sent to Tana Lin, "return to sender". (Dobkin, David) (Entered: 04/01/2003)
04/01/2003	314	MAIL RETURNED notification of case reassignment returned on 3/31/03. Sent to Luis Lavin, "return to sender". (Dobkin, David) (Entered: 04/01/2003)
04/01/2003	315	MAIL RETURNED notification of case reassignment returned on 3/31/03. Sent to Brenda Berlin, "return to sender". (Dobkin, David) (Entered: 04/01/2003)
04/01/2003	316	MAIL RETURNED notification of case reassignment returned on 3/31/03. Sent to John Gadzichowski, "return to sender". (Dobkin, David) (Entered: 04/01/2003)
04/01/2003	317	MAIL RETURNED notification of case reassignment returned on 3/31/03. Sent to Deval Patrick, "return to sender". (Dobkin, David) (Entered: 04/01/2003)
04/04/2003	318	ORDER granting application for extension of time to fact discovery. ( signed by Magistrate Robert M. Levy , on 4/12/03) (endorsed on letter dated 4/2/03 from Emily Martin to Mag. Levy). (Dobkin, David) (Entered: 04/15/2003)
04/16/2003	319	LETTER dated 4/14/03 from Jodi Danis to Judge Block and Mag. Levyi, written to seek resolution of a discovery dispute that arose during two depositions taken in the above case last week and which is anticipated to continue at additional future depositions. (Dobkin, David) (Entered: 04/16/2003)

04/24/2003	320	ORDER of referral to Mag. Levy for all pretrial purposes. ( signed by Judge Frederic Block , on 4/23/03) (Dobkin, David) (Entered: 04/24/2003)
05/01/2003	321	ORDER granting an extension of time until 5/16/03 to respond to the Intervenor-Objectors' expert reports filed on 4/4/03. ( signed by Magistrate Robert M. Levy , on 4/29/03)(endorsed on letter dated 4/22/03 from Charles Leggott to Judge Block). (Dobkin, David) (Entered: 05/01/2003)
05/07/2003	322	Minute Entry for proceedings held before Robert M. Levy : Telephone Conference held on 5/7/2003. Mr. Rosman will produce documents for today's deposition, although 30 days have not expired, without waiving right to assert right to additional time for documents for tomorrow's deposition. Mr. Rosman will review the 25 page personnel file for tomorrow's deposition tonight and discuss it with his client tomorrow prior to the deposition. If he requires additional time to determine whether to produce the file for tomorrow's deposition, or if plaintiff's counsel requires additional time to review the documents before taking the deposition, the parties are directed to contact the court for guidance. (Dobkin, David) (Entered: 05/12/2003)
05/07/2003	323	Minute Entry for proceedings held before Robert M. Levy :Telephone Conference held on 5/7/2003. For the reasons explained in detail on the record, and consistent with the principles enunciated by the Second Circuit in In re Grand Jury Subpoenas dated 3/19/02 and 8/2/02, 318 F. 3d 379, 385(2d Cir.2003), the motion of the United States, dated 4/14/03 is granted as follows:1) Absent a showing that a "'a real, rather than speculative, concern' that counsel's thought process 'in relation to pending... litigation' will be exposed" through disclosure of which of a small number of documents, already in the possession of all parties, a witness has reviewed in preparation for his clients not to answer the following question at deposition: "What documents that were not generated by your counsel have you reviewed in preparation for your deposition today?" (Tape #39:2395-4788.) (Dobkin, David) (Entered: 05/12/2003)
05/13/2003	324	Letter dated 5/5/03 from Charles Leggott to Mag. Levy, written in response to Mr. Rosman's letter of 4/24/03 concerning the discovery dispute that arose during the depositions of James Ahearn and John Brennan on 4/9 and 4/10, respectively. w/attachments. (Dobkin, David) (Entered: 05/13/2003)
05/16/2003	325	NOTICE of motion for a protective order by United States of America. (Dobkin, David) (Entered: 05/22/2003)
05/16/2003	326	MOTION for Protective Order by United States of America. (Dobkin, David) (Entered: 05/22/2003)
05/16/2003	327	MEMORANDUM of law in Support re 326 MOTION for Protective Order by United States of America. Attached exhibits 1-10 (Dobkin, David) (Entered: 05/22/2003)
05/22/2003	374	Letter dated 5/21/2003 from Michael Rosman to Mag. Levy, written in response to the United States's motion for a protective order. w/enclosures. (Dobkin, David) (Entered: 11/25/2003)
05/27/2003	328	ORDER dated 5/23/2003, stating that leavee to file the 5/16/2003 motion for protective order and memo in support is hereby granted. A hearing on the motion is scheduled for 6/19/03 at 2:00p.m. Signed by Judge Robert M. Levy on 5/23/2003. (endorsed on letter dated 5/22/2003 from Jodi Janis to Mag. Levy). (Dobkin, David) (Entered: 05/27/2003)
06/02/2003	329	ORDER granting application. The human resources expert's report will be submitted one week after deft's production of relevant documents. Signed by Judge Robert M. Levy on 5/29/2003. (endorsed on letter dated 5/27/03 from Emily Martin to Mag. Levy).(Dobkin, David) (Entered: 06/02/2003)
06/17/2003	330	TRANSCRIPT of Civil Cause for Status Conference before Magistrate Robert M. Levy on 5/7/03. (Black, Amanda) (Entered: 06/18/2003)
06/18/2003	332	MEMORANDUM of law in Opposition to U.S.s' re 326 MOTION for Protective Order by James G. Ahearn, John Brennan. (Dobkin, David) (Entered: 06/23/2003)

06/19/2003	331	NOTICE of Appearance by Derek J.T. Adler on behalf of Janet A. Caldero, Celia I. Calderon , Martha Chellemi , Andrew Clement , Kristen D'Alessio , Laura Daniele , Charmaine Didonato , Dawn L. Ellis , Marcia P. Jarrett , Mary Kachadourian , Kathleen Luebker , Marianne Manousakis , Adele A. McGreal , Sandra D. Morton , Maureen Quinn , Harry Santana , Carl D. Smith , Kim Tatum , Frank Valdez , Irene Wolkiewicz, Proposed Plaintiff–Intervenors. (Black, Amanda). (Entered: 06/23/2003)
06/19/2003	333	Letter dated 6/17/2003 from Michael Rosman to Mag. Levy, asking the Court to permit the Brennan Intervenors to submit the enclosed memo of law in response to the United States's motion for a protective order. (Dobkin, David) (Entered: 06/24/2003)
06/20/2003	334	Minute Entry for proceedings held before Robert M. Levy : Telephone Conference held on 6/20/2003. Discovery deadline 9/30/03(fact and expert). Next conference 7/18/03 at 3:00p.m. Rulings made on the record. All outstanding motions resolved. Written ruling will follow setting forth decision made concerning plaintiff and deft's assertion of joint defense privilege. Deft will respond to proposed Calvero intervenors' document requests by 6/27/03; proposed Caldero intervenors' expert report shall be served 7/18/03.Brennan intervenors may seek to re–serve 30(b)(6) deposition requests on plaintiff upon a showing of good cause, in the event contention interrogatory responses do not satisfactorily provided the information sought in their previous 30(b)(6) requests, the subject of plaintiff's recent request for a protective order. Contention interrogatories shall be served by 7/1/03. Status report to chambers 9/12/03. (Tape #03/50(0–2388).) (Dobkin, David) (Entered: 06/24/2003)
06/27/2003	336	Letter dated 5/22/03 from Charles E. Leggott to USMJ Robert M. Levy re: the request for an extension of the fact discovery deadline to 7/11/03. They request that if an extension is granted it be until 6/27/03. (Noh, Kenneth) (Entered: 06/27/2003)
06/27/2003	337	(page 1) Letter dated 5/21/03 from Emily J. Martin to USMJ Robert M. Levy requesting an exteion of the deadline of factual discovery to 7/11/03. (Noh, Kenneth) (Entered: 06/27/2003)
07/25/2003	<u>338</u>	MEMORANDUM AND OPINION, Signed by Judge Robert M. Levy on 7/24/03. (Black, Amanda) (Entered: 07/25/2003)
07/29/2003	339	Letter dated 7/28/2003 from Michael Rosman to Mag. Levy, stating that the Brennan Intervenors will serve their response to the letter of Norma Cote dated 7/22/03, seeking a protective order for defts, on or before 7/31/03, and will respond in 5 or fewer pages. (Dobkin, David) (Entered: 07/30/2003)
07/30/2003	340	TRANSCRIPT of telephone Proceedings held on 6/20/2003 before Judge Levy. Court Reporter: Elizabeth Barron. (Dobkin, David) (Entered: 07/31/2003)
07/31/2003	341	Letter from Michael Rosman to Mag. Levy, stating that the Brennan Intervenors will serve their response to the letter of Norma Cote dated 7/22/03, seeking a protective order for defts, on or before 7/31/03, and will respond in five or fewewr pages. (Dobkin, David) (Entered: 08/04/2003)
08/04/2003	342	ORDER, GRANTING the application for a Status COnferenc eto be scheduled for 11/13/03 at 12:30 p.m. (see letter dtd 07/30/03 by Jodi Danis) . Signed by Judge Robert M. Levy on 07/30/03. (Sica, Michele) (Entered: 08/04/2003)
08/05/2003	343	Letter dated 7/29/2003 from Michael Rosman to Mag. Levy, stating that defts' request for a protective order should be denied. Attached exhibits A and B. (Dobkin, David) (Entered: 08/05/2003)
08/07/2003	344	The Brennan Intervenors' Rule 72 Objection to the 7/24/03 order of Mag. Levy by James G. Ahearn, John Brennan re <u>338</u> Memorandum &Opinion. Attached exhibits 1–8. (Dobkin, David) (Entered: 08/11/2003)
08/13/2003	345	Letter dated 7/22/03 from Norma Cote to Judge Levy, requesting a protective order with respect to the scope of the Objector–Intervenors' intended deposition of the defts under Rule 30(b)(6). (Dobkin, David) (Entered: 08/13/2003)



08/13/2003	346	ORDER setting telephone conference for 9/15/2003 at 1:30p.m. before Mag. Levy . Signed by Judge Robert M. Levy on 8/13/2003. (Dobkin, David) (Entered: 08/13/2003)
08/21/2003	347	Letter dated 8/20/2003 from AUSA Jodi Danis to Clerk of the Court, re: enclosure of motion opposition papers in the above case. w/enclosures. (Dobkin, David) (Entered: 08/26/2003)
08/21/2003	348	MOTION for Leave to File <i>response to intervenor-objectors' rule 72 objections to the July 24,2003 order of Mag. Levy</i> by United States of America. (Dobkin, David) (Entered: 08/26/2003)
08/21/2003	349	United States' Response to Intervenor-Objectors' Rule 72 Objections to the 7/24/2003 order of Mag. Levy. Attached exhibits A and B. (Dobkin, David) (Entered: 08/26/2003)
08/26/2003	350	Letter dated 8/25/2003 from Norma Cote to Judge Block, requesting a one-day extension of time to 8/25/03 to serve depts' response to the Rule 72 Objections to Mag. Levy's 7/24/2003 memo and order. (Dobkin, David) (Entered: 08/26/2003)
08/27/2003	351	ORDER granting application. Conference adjourned to 9/25/2003 before Mag. Levy. Signed by Judge Robert M. Levy on 8/25/2003. (Dobkin, David) (endorsed on letter dated 8/21/2003 from Norma Cote to Mag. Levy). (Entered: 08/27/2003)
09/02/2003	353	Deft's Response to the objector-intervenors' objections to the 7/24/2003 discovery ruling of Mag. Levy by Department of Citywide Administrative Services, William J. Diamond, New York City Board of Education (Dobkin, David) (Entered: 09/03/2003)
09/03/2003	352	ORDER granting application. Telephone conference will be held on 9/15/2003 at 1:30p.m.. Signed by Judge Robert M. Levy on 9/3/2003. (endorsed on letter dated 8/28/03 from Norma Cote to Mag. Levy)(Dobkin, David) (Entered: 09/03/2003)
09/09/2003	355	Letter dated 9/8/2003 from Emily Martin to Mag. Levy, written on behalf of Plaintiff-Intervenors, in response to the United States' letter moving to compel Plaintiff-Intervenors' response to the United States' contention interrogatories, served on 7/1/03. Attached Exhibits 1-3. (Dobkin, David) (Entered: 09/18/2003)
09/17/2003		Minute Entry for proceedings held before Robert M. Levy : Charles Leggott, Keisha Bell, for plaintiff; Norma Cote for defendant; Michael Rosman for Brennan intervenors; Emily Martin, Lenore Lapidus for Caldero intervenors. Resolving defendant's motion for a protective order regarding : (1) The scope of 30(b)(6) depositions. To the extent the Brennan intervenors seek to question the defendant's 30(b)(6) witness concerning matters beyond the scope of the areas designated in the 30(b)(6) notice, and the Brennan intervenors shall afford defendant a reasonable amount of time to prepare its witness(es) on those matters. The parties shall contact the court in the event of an irresolvable dispute. (2)Defendant's 1993 and 1996 race and ethnicity surveys. The Brennan intervenors shall identify all individuals whose race or ethnicity they allege was wrongly identified in those surveys. Defendant shall then prepare the 30(b)(6) witness(es) on the specifics of the race and ethnicity data for those individuals. (3) Review of qualifications of offerees. The 30(b)(6) witness shall testify only as to reviews of the qualifications of those offerees who were found not qualified prior to taking the relevant examinations. Resolving plaintiff's motion to compel responses to its contention interrogatories: plaintiff and the Caldero intervenors shall meet and confer to narrow the interrogatories to exclude, to the extent possible, all interrogatories seeking facts or evidence. The Caldero intervenors shall answer all contention interrogatories seeking, inter alia, explanation of claims or legal theories.Discovery Hearing held on 9/17/2003. (Tape #62: 610-2316.) (Levy, Robert) (Entered: 09/17/2003)
09/18/2003	354	Letter dated 9/3/2003 from Jodi Danis to Mag. Levy, regarding a discovery dispute between the United States and proposed Caldero Intervenors Proposed Caldero Intervenors have refused to provide responses to any of the contention interrogatories that the United States served upon them on 7/1/2003, after it was authorized to do so by this Court. w/attachments. (Dobkin, David) (Entered: 09/18/2003)

09/18/2003	356	Letter dated 9/10/2003 from Jodi Danis to Mag. Levy, written in response to counsel for the Caldero Intervenor's 9/8/03, letter addressing the United States' motion to compel responses to contention interrogatories.. (Dobkin, David) (Entered: 09/18/2003)
09/22/2003	357	TRANSCRIPT of Telephone Proceedings held on 6/20/2003 before Judge Levy. Court Reporter: Elizabeth Barron. Plaintiff counsel: Charles Leggott, Jodi Danis and Keesha Bell. Defense counsel: Norma Cote, Michael Rosman and Emily Martin. (Dobkin, David) (Entered: 09/22/2003)
09/23/2003	359	Letter dated 9/11/03 from Charles E. Leggott to Magistrate Robert M. Levy providing the Court with a status report of the litigation. (Black, Amanda) (Entered: 09/29/2003)
09/26/2003	358	TRANSCRIPT of conference held on 9/15/2003 before Judge Levy. O/T: Rosalie Lombardi: L.F., Transcription Plus II. (Barrett, Charryse) (Entered: 09/26/2003)
10/01/2003	369	Letter dated 9/30/2003 from Melissa Chernofsky to Mag. Levy, requesting that the court enforce the compromise embodied by the 9/17 order, which required the U.S. to narrow its contention interrogatories to exclude, to the extent possible, all interrogatories seeking facts and evidence. The Caldero Intervenor's will then answer Proposed interrogatories No. 1, 1(b), 2 and 2(b). w/attachments. (Dobkin, David) (Entered: 11/17/2003)
10/21/2003	364	Letter dated 10/17/2003 from Michael Rosman to Judge Block, requesting a pre-motion conference in the above case. (Dobkin, David) (Entered: 11/10/2003)
10/27/2003	362	Letter dated 10/24/2003 from Keisha Dawn Bell to Judge Block, written in response to Intervenor-Objectors' 10/17/2003 letter to the Court requesting a pre-motion conference. (Dobkin, David) (Entered: 10/30/2003)
10/30/2003	360	Letter dated 8/25/2003 from Norma Cote to Judge Block, requesting an extra 3 days until 10/31/2003 to respond to the 10/17/2003 letter of counsel from the Center for Individual Rights, which represents certain intervenors in this case, requesting a pre-motion conference concerning a motion they wish to make. (Dobkin, David) (Entered: 10/30/2003)
10/30/2003	361	Letter dated 10/28/2003 from Emily Martin to Judge Block, stating that the request for a pre-motion conference should be denied and that the Brennan Objector-Intervenor's should not be permitted to file the proposed motion. (Dobkin, David) (Entered: 10/30/2003)
11/04/2003	370	Letter dated 11/3/2003 from Michael Rosman to Mag. LEvy, written in response to the U.S.'s peculiar request for a ruling on a 5 year old discovery dispute, set forth in a letter from Jodi Danis to the court dated 10/28/2003, a few days before the discovery deadline.. (Dobkin, David) (Entered: 11/17/2003)
11/05/2003	365	Letter dated 11/3/2003 from Michael Rosman to mag. Levy, written in response to the United States's peculiar request for a ruling on a 5 year old discovery dispute, set forth in a letter from Jodi Danis to the Court dated 10/28/2003, a few days before the discovery dealine. (Dobkin, David) (Entered: 11/10/2003)
11/10/2003	363	ORDER granting application for extension of time to answer applications in the above case to 11/14/2003. Signed by Judge Robert M. Levy on 11/6/2003. (endorsed on letter dated 11/6/2003 from Norma Cote to Mag. Levy)(Dobkin, David) (Entered: 11/10/2003)
11/12/2003	372	Letter dated 11/9/2003 from Norma Cote to Mag. Levy, written in response to the 10/28/2003 letter of Jodi Danis, requesting that the Court now rule on an expert evidence matter that arose in 1998 and was tabled when a settlement appeared imminent. w/attachments. (Dobkin, David) (Entered: 11/17/2003)
11/13/2003		Minute Entry for proceedings held before Robert M. Levy : Charles Leggott, Jodi Danis, Keisha Bell, for plaintiff; Norma Cote for defendants; Michael Rosman, for Brennan Intervenor's; Melissa Chernofsky, for Caldero Intervenor's. (1)The Caldero Intervenor's shall answer the United States' Proposed Contention Interrogatories 1 and 2, but not 1(a) and 2(a), which call for "all facts and evidence" upon which these intervenors base their contentions. The court finds that the burdens of

		responding outweigh the benefits at this time, that it is uncertain whether and to what extent the United States and the Caldero Intervenors will take adverse positions in this litigation, and that any possible prejudice to plaintiff can be reasonably minimized by adjusting the briefing schedule for anticipated motions. In addition, the Caldero Intervenors are directed to forward any drafts of affidavits or other documents prepared in connection with such motions, which contain the information requested in 1(a) and 2(a), as soon as they have been finalized. (2) The court denies the motion of the United States to strike the Reilly rebuttal expert report as premature as the disputed portions are relevant to the validity of the tests in question and the existence of alternative procedures. The United States has leave to renew if there is a finding that no prima facie case of disparate impact has been made, in which case the court will be asked to address the issue of business necessity and related questions concerning test validity and alternative procedures. Defendants and the Brennan Intervenors are free to oppose the motion on substantive and procedural grounds, including untimeliness. (3) Defendants and the Caldero Intervenors shall meet and confer to narrow their disputes concerning the scope of 30(b)(6) depositions. The court will resolve any lingering disputes at the next conference on November 20, 2003 at 3:00 (by telephone). The parties will also advise at the 11/20 conference whether they agree to mediation. Discovery Hearing held on 11/13/2003. (Levy, Robert) (Entered: 11/13/2003)
11/17/2003	366	Letter dated 10/17/2003 from Michael Rosman to Judge Block, requesting a promotion conference be set in the above case. (Dobkin, David) (Entered: 11/17/2003)
11/17/2003	367	Letter dated 10/31/2003 from Norma Cote to Judge Block, stating that defts urge the Court not to permit the Objector-Intervenors to make a proposed motion. (Dobkin, David) (Entered: 11/17/2003)
11/17/2003	368	NOTICE setting a promotion conference in the above case for 1/9/2003 at 11:00a.m. before Judge Block. Sent to al parties by Michael Innelli, dated 11/13/2003. (Dobkin, David) (Entered: 11/17/2003)
11/17/2003	371	Letter dated 11/3/2003 from Michael Rosman to Mag. Levy, written to seek an order compelling defts to respond to certain discovery requests. w/attachments.. (Dobkin, David) (Entered: 11/17/2003)
11/17/2003	373	Letter dated 11/10/2003 from Charles Leggott to Mag. Levy, stating that the purpose of this letter is to provide the Court with the parties' assessment of the status of discovery and enumerate the outstanding discovery issues awaiting resolution by the Court. (Dobkin, David) (Entered: 11/17/2003)
11/18/2003	378	Letter dated 11/17/2003 from Jodi Danis to Mag. Levy, written to seek clarification of several items regarding the Court's 11/13/2003 minute entry summarizing the rulings the Court made during the discovery hearing held that same day. (Dobkin, David) (Entered: 12/09/2003)
11/25/2003	<u>375</u>	CONSOLIDATION ORDER stating that the case 02-cv-256 be consolidated into lead case 96-cv-374; it is orderd that case 02-cv-256 be administratively closed and al further entries be made on the lead case on 96-cv-374. Signed by Judge Frederic Block on 11/25/2003. (Dobkin, David) Additional attachment(s) added on 2/26/2004 (Dobkin, David). . (Entered: 11/25/2003)
12/08/2003	376	TRANSCRIPT of telephone Proceedings held on 6/20/2003 before Judge Levy. Court Reporter: Elizabeth Barron. Plaintiff counsel: Charles Leggott, Jodi Danis and Keesha Bell. Defense counsel: Norma Cote, Michael Rosman and Emily Martin. (Dobkin, David) (Entered: 12/08/2003)
12/08/2003		Minute Entry for proceedings held before Robert M. Levy : Jodi Danis, Charles Leggott, plaintiff; Norma Cote, defendants; Michael Rosman, Brennan Intervenors; Emily Martin, Melissa Chernofsky, Caldero Intervenors. Rulings made on the record. With regard to the Brennan Intervenors' Contention Interrogatories to the defendants, defendants will respond as follows: (1) at this time defendants intend to remain silent as to Interrogatory #1, and will notify intervenors if their position changes; (2) at this time defendants are not able to take a position as to Interrogatory #2 and will notify intervenors if and when their position changes. With regard to the "Collective Bargaining Agreement witness (Brennan

		Intervenors' 30(b)(6) topic #2)," Ms. Cote will explain (1) what was different, if anything, about the rating and transfer plan between February 2000 and March 2002 from what is contained in the 1995–1999 Collective Bargaining Agreement signed in 2002; and (2) where to look for rating and transfer provisions in the Collective Bargaining Agreement that was in effect from 1999 through March 2002. All parties agree to mediation in the cases in which they are involved, however defendants agree to mediation only on condition that both this case and the related and subsequently consolidated Brennan v. Ashcroft, 02 CV 256 (FB)(RML), be mediated. The court's ADR Administrator Gerald Lepp will select an appropriate mediator and advise the parties. Discovery Hearing held on 11/20/2003. (Tape #80:2788–6477.) (Levy, Robert) (Entered: 12/08/2003)
12/08/2003		CASE REFERRED to Mediation. (Levy, Robert) (Entered: 12/08/2003)
12/09/2003	377	Letter dated 11/17/2003 from Norma Cote to Mag. Levy, written in response to the 11/3/2003 discovery application of the Center for Individual Rights, attys for the Objector–Intervenors or Brennan Intervenors, seeking to compel defts to respond to two contention interrogatories and to produce an agency witness. (Dobkin, David) (Entered: 12/09/2003)
12/09/2003	379	Letter dated 11/18/2003 from Norma Cote to Mag. Levy, requesting to be relieved temporarily of the timetable for resolving the outstanding discovery disputes involving the defts, because of the overwhelming conflicting professional demands on my time in recent days and for the next approximately four weeks. (Dobkin, David) (Entered: 12/09/2003)
12/09/2003	380	Letter dated 11/18/2003 from Melissa Chernofsky to Mag. Levy, written in response to the letter from U.S. dated 11/17/2003, requesting that the Court clarify the Order from the 11/13/2003, telephonic status conference. (Dobkin, David) (Entered: 12/09/2003)
01/14/2004	<u>381</u>	NOTICE of appointment of Vivien Shelanski as Mediator. The Mediator shall schedule the first mediation session after consultation with Counsel. Counsel must file with the Mediator at least 7 days in advance of the first session both all pleadings and a mediation statement outlining the facts and legal issues. Attendance in person is required of the trial counsel, insurance adjustor, and client representative with full settlement authority. The mediation session shall take place in the NEW Courthouse of the Southern District of New York, 500 Pearl Street, New York, NY, unless otherwise provided. The Mediator's contact information is: c/o JAMS, 45 Broadway, 28th floor, NY, NY 10006; Tel: 212–751–2700; fax 212–751–4099; email address vshelanski@jamsadr.com (Lepp, Gerald) (Entered: 01/14/2004)
01/26/2004	382	ORDER stating that the Court will stay resolution of the two pending objections until the conclusion of the mediation process. Signed by Judge Frederic Block on 1/14/2004. (Dobkin, David) (Entered: 01/26/2004)
02/17/2004	383	Letter dated 2/10/2004 from George McCarter to Judge Block, advising of new address. (Dobkin, David) (Entered: 02/17/2004)
02/27/2004	385	Letter dated 2/26/2004 from Emily Martin to Mag. Levy, written on behalf of the Caldero Intervenors to compel defts to designate and produce witnesses, and produce answers to Interogatories. w/attachments. (Dobkin, David) (Entered: 03/10/2004)
03/08/2004	384	ORDER granting application for extension of time to respond to the Caldero Intervenors' application to compel discovery from the defts. Signed by Judge Robert M. Levy on 3/4/2004. (endorsed on letter dated 3/3/2004 from Norma Cote to Mag. Levy).(Dobkin, David) (Entered: 03/08/2004)
03/08/2004	396	Letter dated 3/3/2004 from Michael Rosman to Mag. Levy, written to seek an order compelling defts to produce witnesses to testify on certain matters. w/attachments. (Dobkin, David) (Entered: 05/17/2004)
03/09/2004	386	Letter dated 3/8/2004 from Norma Cote to Mag. Levy, constituting deft Board of Education's response to the 2/26/2004 letter application of the Caldero intervenors to compel discovery from defts and for sanctions. w/attachments. (Dobkin, David)

		(Entered: 03/10/2004)
03/09/2004	387	Letter dated 3/3/2004 from Michael Rosman to Mag. Levy, written to seek an order compelling defts to produce witnesses to testify on certain matters. w/attachments. (Dobkin, David) (Entered: 03/10/2004)
03/24/2004	388	ORDER granting brief extension of time to respond to the Brennan Intervenors' 3/3/2004 letter application to compel discovery from the defts until 3/16/2004.Signed by Mag. Levy. (endorsed on letter dated 3/10/2004 from Norma Cote to Mag. Levy). (Dobkin, David) (Entered: 03/24/2004)
03/24/2004	389	Letter dated 3/17/2004 from Michael Rosman to Charles Leggott, Emily Martin, Norma Cote, and Melissa Chernofsky, re: enclosure of Brennan Intervenors' motion for dismissal. w/o enclosures. (Dobkin, David) (Entered: 03/24/2004)
04/01/2004	390	Letter dated 3/24/2004 from Emily Martin to Judge Block, written in response to the Brennan Intervenor's motion for dismissal on ground of mootness or partial summary judgment. (Dobkin, David) (Entered: 04/01/2004)
04/06/2004	391	Letter dated 3/19/2004 from Michael Rosman to Mag. Levy, written briefly to respond to several of Ms. Cote's contentions in her letter dated 3/16/2004, which was itself a response to his 3/3/2004, letter to the court. (Dobkin, David) (Entered: 04/06/2004)
04/14/2004	<u>392</u>	SCHEDULING ORDER:A telephone conference has been scheduled for May 13, 2004 at 10:00 a.m., at(718) 260-2340. All parties must be available. Plaintiffs' counsel is requested to initiate conference call and confirm with defendants' counsel that all necessary participants are aware of this conference. SEE ORDER Signed by Judge Robert M. Levy on 4/14/04. (Marino, Janine) (Entered: 04/14/2004)
04/19/2004	394	NOTICE of withdrawal of counsel and notice of appearance for Christine M. Roth. (Dobkin, David) (Entered: 04/22/2004)
04/21/2004	393	Letter dated 4/19/2004 from Emily Martin to Judge Block, requesting that litigation be stayed pending mediation. (Dobkin, David) (Entered: 04/21/2004)
04/22/2004	395	Letter dated 4/14/2004 from Michael Rosman to Judge Block, written in brief response to the letters from attys from the Caldero Intervenors dated 3/24/2004 and joined in by the attys for the U.S. and defts. (Dobkin, David) (Entered: 04/22/2004)
05/14/2004		Minute Entry for proceedings held before Robert M. Levy : Charles Leggott, plaintiff; Norma Cote, defendant; Michael Rosman, Brennan Intervenors; Emily Martin, Melissa Chernofsky, Lenore Lapidus, Caldero Intervenors. All outstanding discovery issues resolved as set forth on the record. The court notes that discovery delays have resulted from the defendant's failure to staff this complex and multi-issue case adequately. In the event no settlement is reached following the mediation scheduled for early June, the court strongly urges the defendant to add additional staff or to obtain pro bono assistance. In a common interest in avoiding further delays, all parties have consented to have the court use its efforts to help locate pro bono counsel for defendant, in the event defendant is unable to obtain adequate staffing on its own. Rulings made on the record include but are not limited to the following: (1) By 5/24/04 defendant shall; (a) identify for Mr. Rosman all previous depositions and exhibits relating to practical test 5040; (b) provide the last known address of Lou Capoli, in the event Ms. Martin cannot locate him through her clients; and (c) provide the information described at the last conference relating to the collective bargaining agreement. (2) By 6/7/04 defendant shall (a) serve its objections to the Caldero intervenors' 30(b)(6) notices; (b) provide Ms. Martin with a list of prior depositions dealing with the recruitment issues; and (c) furnish an affidavit concerning individuals who initially were found unqualified but subsequently were found qualified. (3) By 6/7/04 the Caldero intervenors shall (a) notice any additional depositions they intend to take; and (b) advise whether they intend to supplement their expert report. (3) By 6/15/04 defendant shall (a) designate a supplemental 30(b)(6) witness to fill gaps in Mr. Lonergan's 30(b)(6) deposition, and specifically, with regard to the interview processes for each of the examinations in suit by which the Board of Education interviewed prospective candidates prior to hiring them, the witness shall be

		prepared to state which specific skills were examined in the interview and why. (4) By 6/21/04 defendant shall respond to the Caldero Intervenor's outstanding interrogatories. Discovery deadline extended to 9/14/04. Next conference 9/15/04 at 11:30. Discovery Hearing held on 5/13/2004. (Tape #31: 680-end; 32: 0-656.) (Levy, Robert) (Entered: 05/14/2004)
05/17/2004	397	Letter dated 3/15/2004 from Emily Martin to Mag. Levy, written in reply to defts' 3/8/2004, response to the Caldero Intervenor's motion to compel and for sanctions. (Dobkin, David) (Entered: 05/17/2004)
05/17/2004	398	Letter dated 3/16/2004 from Norma Cote to Mag Levy, stating that this letter and its attachments constitutes defts' response to the 3/3/2004 application by the Brennan Intervenor to compel discovery from defts. w/attachments. (Dobkin, David) (Entered: 05/17/2004)
05/17/2004	399	Letter dated 3/17/2004 from Michael Rosman to All counsel, re: enclosure of Brennan Intervenor's motion for dismissal on grounds of mootness or partial summary judgment. w/o enclosure. (Dobkin, David) (Entered: 05/17/2004)
05/17/2004	400	Letter dated 3/19/2004 from Michael Rosman to Mag. Levy, written to respond to several of Ms. Cote's contentions in her letter dated 3/16/2004. (Dobkin, David) (Entered: 05/17/2004)
05/17/2004	401	Letter dated 5/10/2004 from Emily Martin to Mag. LEVY, written to update recent discovery developments in preparation for the 5/13 conference. (Dobkin, David) (Entered: 05/17/2004)
05/17/2004	402	Letter dated 5/7/2004 from Michael Rosman to All counsel. re: enclosure of Brennan Intervenor's motion for class certification in the action 96-cv-374. (Dobkin, David) (Entered: 05/17/2004)
05/19/2004	403	Letter dated 5/11/2004 from Matthew Colangelo to All counsel, re: enclosure of intervenor and supporting papers. w/o enclosure. (Dobkin, David) (Entered: 05/19/2004)
05/20/2004	404	Letter dated 5/18/2004 from Emily Martin to Judge Block, written on behalf of Caldero Plaintiff-Intervenor in response to the Brennan Objector-Intervenor's 5/7/2004, letter to the Court seeking a pre-motion conference for a motion to amend their complaint in intervention under Rule 15(a), as required by the Court's Individual Motion Practice Rules. (Dobkin, David) (Entered: 05/20/2004)
06/04/2004	405	Letter dated 5/7/2004 from Brennan-Intervenor's counsel Michael Rosman to Judge Block, requesting a pre-motion conference and notifying the Court and parties that they intend to move to amend their complaint in intervention. (Latka-Mucha, Wieslawa) (Entered: 06/04/2004)
06/04/2004	406	Letter dated 5/19/2004 from Charles E. Leggott to Judge Block, in response to Brennan-Intervenor's 5/7/2004 letter seeking a pre-motion conference and notifying the Court and parties that they intend to move to amend their complaint in intervention. (Latka-Mucha, Wieslawa) (Entered: 06/04/2004)
06/04/2004	<u>407</u>	NOTICE: A pre-motion conference in the captioned case is scheduled for June 25, 2004 at 11:00 a.m. in the chambers of Judge Frederic Block. (Signed on 6/1/2004 by Michael J. Innelli, Case Manager) C/M by Chambers. (Latka-Mucha, Wieslawa) (Entered: 06/04/2004)
06/06/2004	474	TRANSCRIPT of Civil Cause for Conference held on 9/15/04 before Judge Robert M. Levy. Court Reporter: Elizabeth Barron. (Drayton, Lorraine) (Entered: 01/14/2005)
06/09/2004	408	Letter dated 6/7/04 from Michael E. Rosman, Esq. to USDJ Block requesting a pre-motion conference and to set forth the basis of their anticipated motion. They hope to discuss the motion at the already-scheduled pre-motion conference on 6/25/04. (Nieves, Adrian) (Entered: 06/09/2004)
06/09/2004	415	Letter dated 6/7/04 from Michael E. Rosman, Esq. to USDJ Block, requesting a pre-motion conference. (Nieves, Adrian) (Entered: 07/06/2004)

06/15/2004	409	Letter dated 6/7/04 from Michael E. Rosman, Esq. to USDJ Block requesting a pre-motion conference and to set forth the basis of their anticipated motion. (Nieves, Adrian) (Entered: 06/15/2004)
06/17/2004	410	TRANSCRIPT of conference before USMJ Levy dated 9/15/03. Court Transcriber: Aria Transcriptions. (Nieves, Adrian) (Entered: 06/18/2004)
06/17/2004	411	TRANSCRIPT of conference before USMJ Levy dated 9/20/03. Court Transcriber: Aria Transcriptions. (Nieves, Adrian) (Entered: 06/18/2004)
06/22/2004	412	Letter dated 6/16/2004 from Melissa Chenofsky to Judge Block, in response to the Brennan Objector-Intervenors' 6/7/2004, letter to the Court seeking a pre-motion conference to discuss a proposed partial summary judgment motion. (Dobkin, David) (Entered: 06/22/2004)
06/28/2004	413	Letter dated 6/23/2004 from Norma Cote to Judge Block, written in response to the motion of nine individuals Pedro Arroyo et al., to intervene as plaintiffs. (Dobkin, David) (Entered: 06/28/2004)
06/28/2004	414	Letter dated 6/22/2004 from Melissa Chernofsky to Judge Block, requesting that if intervention as of right is granted, that the Court also grant the Caldero-Intervenors, currently permissive intervenors, intervention as of right. (Dobkin, David) (Entered: 06/28/2004)
07/06/2004	416	TRANSCRIPT of Civil Cause Proceedings held on 5/13/2004 before Judge Levy. Court Reporter: Aria Transcriptions c/o Elizabeth Barron. Plaintiff counsel: Charles Leggett. Defense counsel: Norma Coter. (Dobkin, David) (Entered: 07/06/2004)
07/06/2004	421	MOTION to Intervene by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	422	MEMORANDUM of law in Support re 421 MOTION to Intervene by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	423	Complaint in Intervention by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides re 421 MOTION to Intervene (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	424	AFFIDAVIT of Nicholas Pantelides in Support re 421 MOTION to Intervene by Nicholas Pantelides. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	425	AFFIDAVIT of Silvia Ortega DeGreen in Support re 421 MOTION to Intervene by Silvia Ortega de Green. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	426	AFFIDAVIT of James Martinez in Support re 421 MOTION to Intervene by James Martinez. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	427	AFFIDAVIT of Anibal Maldonado in Support re 421 MOTION to Intervene by Anibal Maldonado. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	428	AFFIDAVIT of Steven Lopez in Support re 421 MOTION to Intervene by Steven Lopez. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	429	AFFIDAVIT of Jose Casado in Support re 421 MOTION to Intervene by Jose Casado. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	430	AFFIDAVIT of Celestino Fernandez in Support re 421 MOTION to Intervene by Celestino Fernandez. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	431	AFFIDAVIT of Pedro Arroyo in Support re 421 MOTION to Intervene by Pedro Arroyo. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	433	RESPONSE to Motion re 421 MOTION to Intervene filed by United States of America. w/attachments. (Dobkin, David) (Entered: 07/08/2004)

07/06/2004	434	MEMORANDUM in Opposition re 421 MOTION to Intervene by James G. Ahearn, John Brennan. (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	435	Statement of Michael Rosman in Opposition re 421 MOTION to Intervene . (Dobkin, David) (Entered: 07/08/2004)
07/06/2004	436	REPLY to Response of parties opposition to Motion re 421 MOTION to Intervene filed by Pedro Arroyo. (Dobkin, David) (Entered: 07/08/2004)
07/07/2004	417	Letter dated 7/2/2004 from Charles Leggott to Judge Block, re: attachment of an order issued by District Judge Collyer in Center for Individuak Rights v. U.S. Dept of Justice, 03-cv-1706, an action pending in the U.S. District Court for the Distict of Columbia. w/o attachment. (Dobkin, David) (Entered: 07/07/2004)
07/07/2004	418	Letter dated 6/30/2004 from Charles Leggott to Judge Bock, stating that the U.S. hereby responds to the Brennan-Intervenors' letter of 6/7/2004 seeking a pre-motion conference and setting forth the bases for their anticipated motion for partial summary judgment. (Dobkin, David) (Entered: 07/07/2004)
07/07/2004	437	NOTICE of Appearance by Diana Embry on behalf of United States of America (Dobkin, David) (Entered: 07/08/2004)
07/08/2004	419	Letter dated 7/6/2004 from Matthew Colangelo to Judge Block, re: enclosure of motion and supporting papers. w/enclosures. (Dobkin, David) (Entered: 07/08/2004)
07/08/2004	420	NOTICE of motion to intervene by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides. (Dobkin, David) (Entered: 07/08/2004)
07/08/2004	432	Letter dated 6/22/2004 from Melissa Chernofsky to Judge Block, written on behalf of the Caldero Plaintiff-Intervenors in response to the motion to intervene. (Dobkin, David) (Entered: 07/08/2004)
07/09/2004	<u>440</u>	Minute Entry for proceedings held before Frederic Block : Pre Motion Conference held on 7/9/2004. Case called. All counsel present; Conference held; Intervenor NAACP's motion is granted; rulings made see order. (Dobkin, David) (Entered: 08/03/2004)
07/15/2004	438	ORDER stating that the application for sanctions is denied at this time. Deft's request for additional time is granted. The interrogatory responses shall be served by 8/13/2004. Final. Signed by Judge Robert M. Levy on 7/14/2004. (endorsed on letter dated 7/9/2004 from Norma Cote to Mag. Levy).(Dobkin, David) (Entered: 07/15/2004)
07/15/2004	439	Letter dated 6/30/2004 from Melissa Chernofsky to Mag. Levy, requesting the COurt order appropriate sanctions against defts for failure to comply with discovery orders. (Dobkin, David) (Entered: 07/15/2004)
08/03/2004	<u>441</u>	ORDER granting 421 Motion to Intervene; briefing schedule: movant, the Brennan Intervenors will file their motion on 9/20/2004, the other parties will reply on 10/20/2004, and the Brennan Intervenors will in turn file their rely on 11/10/2004. Signed by JudgeFrederic Block on 7/20/2004. (Dobkin, David) (Entered: 08/03/2004)
08/04/2004	<u>442</u>	STIPULATION and Order Adding Proposed Plaintiff-Intervenor and Allowing Amendment of Proposed Complaint in Intervention by Pedro Arroyo. (Attachments: # <u>1</u> Cover Letter to Judge Block# <u>2</u> Declaration of Wilbert McGraw)(Colangelo, Matthew) (Entered: 08/04/2004)
08/30/2004	<u>443</u>	ORDER stating that Wilbert McGraw be added as a proposed plaintiff-intervenor in the above case. Signed by Judge Frederic Block on 8/25/2004. (Dobkin, David) (Entered: 08/30/2004)
09/09/2004	444	ORDER Endorsed on letter dated 8/31/04 from Norma Cote,Esq. to USMJ Levy. : Application granted a two day extention of time from Wednesday, Sept. 1 to Fri, Sept. 3 to answer the 8/26/04 letter applciation of counsel for the Calderno Intervenors. Signed by Judge Robert M. Levy on 9/7/04. (Williams-Jackson,



		Sandy) (Entered: 09/09/2004)
09/15/2004		Minute Entry for proceedings held before Robert M. Levy : Charles Leggett, USA; Norma Cote, Bd of Ed; Michael Rosman, Brennan Intervenors; Emily Martin, Caldero Intervenors; Matthew Colangelo, Arroyo Intervenors. Rulings made on the record. A strict discovery deadline is imposed, which shall not be altered without express written leave of the court and upon a showing of good cause. Court ordered deposition dates for defendant's 30(b)(6) witness(es) as to topics not objected to by defendant: 9/30, 10/1, 10/5, or 10/6. The parties may change the dates upon mutual consent, but in no event shall the depositions be completed later than 10/6/04. Defendant's counsel shall advise counsel for the Caldero Intervenors forthwith whether any topic is overly broad and specifically state which topics have already been covered by which documents and/or deposition testimony. These parties shall then meet and confer to resolve any differences by 9/22/04 and, if unable to do so, shall advise the court in writing of any material unresolved issues by 9/25/04. Defendant shall schedule Mr. Soluga's 30(b)(6) deposition by 10/6/04. Subject to Judge Block's approval, the briefing schedule may be extended either (a) 30 days or (b) to a date 5 days after the close of discovery. The court will advise the parties of the final ruling. Discovery Hearing held on 9/15/2004. (Tape #73: 3452-6959; 74: 0-220.) (Levy, Robert) (Entered: 09/15/2004)
09/17/2004	453	Letter dated 9/14/2004 from Michael E. Rosman to USMJ Levy, setting forth the positions of the Brennan Intervenors with respect to discovery. (Barrett, C.) (Entered: 10/22/2004)
09/21/2004		Minute Entry for proceedings held before Robert M. Levy : The briefing schedule is extended 30 days, as discussed at the 9/15/04 conference. SO ORDERED. 9/21/2004. (Levy, Robert) (Entered: 09/21/2004)
09/22/2004	445	Letter dated 9/8/04 from AUSA: Charles Leggott to USMJ Levy, requesting a teleconference with the Court and counsel for the parties to discuss the status of the pending discovery. (Williams-Jackson, Sandy) (Entered: 09/22/2004)
09/22/2004	446	Letter dated 9/14/04 from Michael Rosman, Esq. to USMJ Levy, regarding the positions of the Brennan Intervenors with respect to discovery, and to request a short adjournment of the current dates for briefing set by Judge Block. (Williams-Jackson, Sandy) (Entered: 09/22/2004)
09/23/2004	<u>447</u>	Letter to Judge Levy regarding unresolved topics in the Arroyo Intervenors' Notice of 30(b)(6) Deposition. (Colangelo, Matthew) (Entered: 09/23/2004)
09/29/2004	448	Letter dated 8/26/2004 from Emily J. Martin, Esq. to Judge Levy Regarding request to compel deposition, exhibits attached. (Lee, Tiffeny) (Entered: 09/29/2004)
09/29/2004	465	Letter dtd. 9/27/04 from Norma A Cote, Senior Counsel to Judge Levy, informing the Court re: issues that still divide the defts and the Caldero Intervenors concerning their demands for agency witnesses under Fed.R.Civ.P. 30(b)(6) and why defts cannot and should not have to accede to their demands. (w/Letters dtd. 9/18 and 9/22). (Layne, Monique) (Entered: 11/15/2004)
09/30/2004	<u>449</u>	MOTION to Amend/Correct <i>Complaint In Intervention</i> by Dennis Mortensen, Scott Spring, James G. Ahearn, John Brennan. (Attachments: # <u>1</u> Exhibit Propose Pleading# <u>2</u> US Memo In Opposition# <u>3</u> Caldero Intevenors Memo In Opposition# <u>4</u> Arroyo Intervenors Memo In Opposition# <u>5</u> Reply Memorandum In Support of Motion & Rosman Statement# <u>6</u> Exhibit Exhibits To Rosman Statement In Reply)(Rosman, Michael) (Entered: 09/30/2004)
10/04/2004		REPORT of Mediation. This case has not settled and is returned to the assigned judges. The mediation included meetings with Counsel in Washington and New York as well innumerable telephone conferences. No further mediation sessions are contemplated. Attorney Questionnaires due by 10/18/2004. (Lepp, Gerald) (Entered: 10/04/2004)
10/14/2004	<u>450</u>	MOTION to Compel NYC to produce a 30(b)(6) witness for deposition by Janet A. Caldero. (Williams-Jackson, Sandy) (Entered: 10/14/2004)

10/14/2004	<u>455</u>	Notice of MOTION and Motion for Limited Admission <i>to admit pro hac vice</i> by James G. Ahearn, John Brennan, Dennis Mortensen, Scott Spring. (Williams–Jackson, Sandy) (Entered: 10/25/2004)
10/14/2004		CASE FILING FEE: \$ 25, receipt number 300645. (Williams–Jackson, Sandy) (Entered: 10/25/2004)
10/15/2004	<u>451</u>	NOTICE by United States of America <i>of Withdrawal of Appearance of Counsel</i> (Embry, Diana) (Entered: 10/15/2004)
10/21/2004		before Robert M. Levy: Charles Leggott, USA; Norma Cote, Dept of Ed; Michael Rosman, Brennan Intervenors; Emily Martin, Caldero Intervenors; Matthew Colangelo, Arroyo Intervenors. Rulings made on the record resolving disputes regarding, inter alia, scope of defendant's 30(b)(6) depositions. The parties have resolved the dispute over the Arroyo's 30(b)(6) depositions notice. The parties shall submit a proposed revised discovery schedule by the close of business Friday, October 22, 2004. In drafting their proposed order, the parties shall keep in mind the need to expedite this litigation and shall limit the extension to the minimum period necessary to provide achieve compliance with the court's rulings today. Discovery Hearing held on 10/18/2004. (Tape #86: 0–end; 87: 0–3753.) (Levy, Robert) (Entered: 10/21/2004)
10/22/2004	452	Mail Returned as Undeliverable. Notice of e–filing receipt for report of mediation filed by Gerald Lepp sent to George W.C. McCarter. (Barrett, C.) (Entered: 10/22/2004)
10/22/2004	454	Letter dated 10/13/04 from Matthew Colangelo, Esq. to USMJ Levy, requesting a status conference to discuss how discovery can be completed in an expeditious manner. (Williams–Jackson, Sandy) (Entered: 10/22/2004)
10/25/2004	456	ORDER granting <u>455</u> Motion for Limited Admission. Signed by Judge Robert M. Levy on 10/19/04. (Williams–Jackson, Sandy) (Entered: 10/25/2004)
10/26/2004		ORDER TO SHOW CAUSE: WHEREAS, the Alternative Dispute Resolution Department of this Court advises that counsel for defendant New York City Board of Education seeks the Court's assistance in preventing the disclosure by plaintiff, the United States, of confidential settlement documents generated solely as part of the mediation of this action, and WHEREAS such disclosure, purportedly through a response to a Freedom of Information Act request, would appear to violate Local Rule 83.11(d)(1)(A), which provides that "[A]ll written and oral communications made by the parties... in connection with or during any mediation session are confidential and may not be disclosed or used for ANY purpose unrelated to the mediation," (emphasis added), the United States is hereby ORDERED TO SHOW CAUSE why an order shall not issue barring the disclosure of such confidential mediation documents. It is FURTHER ORDERED that pending full briefing and a decision of this matter, the United States shall not release any documents received from the defendant in connection with the mediation held in this district. The United States shall submit a letter brief in support of its position on this matter no later than November 5, 2004; opposition papers shall be served by November 12, 2004; and reply papers by November 17, 2004. SO ORDERED. Robert M. Levy, USMJ. Dated October 26, 2004. (Levy, Robert) (Entered: 10/26/2004)
11/02/2004	<u>461</u>	ORDER: the extension is granted (see attached) as the discovery remaining after the 10/18/2004 conference requires it. No extensions will be granted in the future w/o a showing of good cause, e.g. failure to comply with discovery orders. Signed by Judge Robert M. Levy, on 10/21/2004. (Barrett, C.) (Entered: 11/05/2004)
11/03/2004	457	TRANSCRIPT of Conference for date of 10/18/04 before Judge Robert M. Levy. Court Transcriber: Aria Transcriptions. (Williams–Jackson, Sandy) (Entered: 11/04/2004)
11/05/2004	458	Letter dated 10/21/2004 from Melissa R. Chernofsky to USMJ Levy, asking that any ruling limiting extension of the discovery schedule allow for an extension for good cause, particularly the failure of depts to comply with their discovery obligations. (Barrett, C.) (Entered: 11/05/2004)
11/05/2004	459	Letter dated 9/23/2004 from Matthew B. Colangelo to USMJ Levy, advising as to the status of the Arroyo Intervenors' 30 (b) (6) deposition request. w/attached

		exhibits 1–5. (Barrett, C.) (Entered: 11/05/2004)
11/05/2004	460	Letter dated 10/12/2004 from Melissa R. Chernofsky to USMJ Levy, advising the Court that the parties completed the RULE 30(b)(6) depositions on those topics which depts had no objections. (Barrett, C.) (Entered: 11/05/2004)
11/05/2004	<u>462</u>	ORDER: the U.S. shall not release the three documents described as they were written in connection with the mediation in US v. NYC Board of Education. The order to show cause issued by this Court on 10/26/2004 and the accompanying briefing schedule are hereby vacated. Signed by Judge Robert M. Levy, on 11/1/2004. (Barrett, C.) (Entered: 11/08/2004)
11/10/2004	463	Letter dated 11/5/04 from Norma Cote,Esq. to USDJ Block, seeking permission to simultaneously file a related motion to enforce paragraph 9 of the settlement against the plaintiff United States.(Williams–Jackson, Sandy) (Entered: 11/10/2004)
11/12/2004	<u>464</u>	Letter from Michael Rosman to Judge Frederic Block Regarding Norma Cote's Letter of November 5. (Rosman, Michael) (Entered: 11/12/2004)
11/16/2004	<u>466</u>	MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. Responses due by 12/17/2004 (Attachments: # <u>1</u> Affidavit Statement of John Brennan# <u>2</u> Affidavit Statement of Dennis Mortensen# <u>3</u> Affidavit Statement of William J. Carrington# <u>4</u> Exhibit Exhibits to Carrington Statement# <u>5</u> Affidavit Statement of James C. Sharf# <u>6</u> Exhibit Exhibit to Statement of James Sharf# <u>7</u> Affidavit Statement of Michael E. Rosman# <u>8</u> Exhibit Exhibits 1–6 to Rosman Statement# <u>9</u> Exhibit Exhibits 7–14 to Rosman Statement# <u>10</u> Exhibit Exhibits 15–21 to Rosman Statement# <u>11</u> Exhibit Exhibit 22–Part 1 to Rosman Statement# <u>12</u> Exhibit Exhibit 22–Part 2 to Rosman Statement# <u>13</u> Exhibit Exhibits 23–30 to Rosman Statement# <u>14</u> Exhibit Exhibits 31–38 to Rosman Statement# <u>15</u> Exhibit Exhibits 39–47 to Rosman Statement# <u>16</u> Exhibit Exhibits 48–53 to Rosman Statement# <u>17</u> Exhibit Exhibits 54–57 to Rosman Statement# <u>18</u> Exhibit Deposition Exhibits to Rosman Statement (Cadero–Lonergeran 1997)# <u>19</u> Exhibit Deposition Exhibits to Rosman Statement (Lonergeran 2004–N. Pantelides)# <u>20</u> Exhibit Deposition Exhibits to Rosman Statement (Paul–Wilson)# <u>21</u> Notice# <u>22</u> Memo)(Rosman, Michael) (Entered: 11/16/2004)
11/22/2004	<u>467</u>	NOTICE by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn re <u>462</u> Order, <i>Rule 72 Objections</i> (Attachments: # <u>1</u> Exhibit Exhibit A to Rule 72 Objections)(Rosman, Michael) (Entered: 11/22/2004)
11/24/2004	480	Letter dated 11/22/4 from Matthew B. Colangelo, Esq. to Judge Block in support of Norma Cote's letter of 11/5/2004, document #463. (Lee, Tiffeny) (Entered: 03/16/2005)
12/01/2004	468	Letter dated 11/23/2004 from Melissa R. Chernofsky to USDJ Block, on behalf of Caldero Plaintiff–Intervenors, joining in the Arroyo Intervenors in supporting Defts' request to file a motion to enforce paragraph 9 of the settlement agreement. (Barrett, C.) (Entered: 12/01/2004)
12/07/2004	<u>469</u>	Letter dated 9/27/2004 from Emily J. Martin et al. to USMJ Levy, informing of the status of this case pursuant to the 9/15/2004 letter. (Barrett, C.) (Entered: 12/07/2004)
12/09/2004	<u>470</u>	MOTION to Enforce Judgment by all defendants. (Cote, Norma) (Entered: 12/09/2004)
12/09/2004	<u>471</u>	Notice of MOTION to Enforce Judgment by all defendants. (Attachments: # <u>1</u> Affidavit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Cote, Norma) (Entered: 12/09/2004)
12/10/2004	<u>472</u>	ORDER: the application to file a motion with regard to paragraph 9 of the settlement agreement is granted. Signed by Judge Frederic Block, on 12/9/2004. (Endorsed on letter dated 11/23/2004 from Norma A. Cote to USDJ Block) Copies mailed by Chambers. (Barrett, C.) (Entered: 12/10/2004)
12/23/2004	<u>473</u>	Letter dated 12/16/2004 from Norma A. Cote to USDJ Block, requesting a short extension of the briefing schedule for responding to the Brennan Interenors'

		objections to the Settlement Agreement and defts' companion motion to enforce paragraph 9 of that agreement. (Barrett, C.) (Entered: 12/23/2004)
01/10/2005	<u>478</u>	Letter dated 1/7/2005 from ACC Colley to Clerk of Court Regarding representation of City of New York. (Lee, Tiffeny) (Entered: 01/25/2005)
01/14/2005	475	Letter dated 1/7/05 from Melissa Chernofsky,Esq. to USDJ Block, seeking leave to file motions for partial summary judgment. (Williams-Jackson, Sandy) (Entered: 01/14/2005)
01/14/2005	476	Letter dated 1/7/05 from Melissa Chernofsky,Esq. to USDJ Block, submitting a proposed briefing schedule. (Williams-Jackson, Sandy) (Entered: 01/14/2005)
01/24/2005	<u>477</u>	MEMORANDUM AND ORDER: The order, as construed by the Court, is not clearly erroneous or contrary to law. c/m by chambers. Signed by Judge Frederic Block on 1/21/05. (Williams-Jackson, Sandy) (Entered: 01/24/2005)
03/15/2005	479	Letter from Michael Rosman dated 11/12/04 to Judge Block opposing Norma Cote's 11/5/04 letter. (Hunter, Tara) (Entered: 03/15/2005)
03/22/2005	481	Letter from Charles Leggott dated 10/28/04 to Magistrate Levy regarding the possible disclosure by the U.S. of confidential settlement documents. (Hunter-Hicks, Tara) (Entered: 03/22/2005)
04/05/2005	482	Letter from Michael E. Rosman dated 4/1/04 to Charles Leggott, Emily J. Martin, Norma Cote, Melissa Chernofsky and Matthew B. Colangelo enclosing a copy of Brennan Intervenors' motion to support with supporting documents. (Hunter-Hicks, Tara) (Entered: 04/05/2005)
04/29/2005	<u>483</u>	REPLY to Response to Motion re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order And In Opposition To Separate Motions For Summary Judgment by the Caldero and Arroyo Intervenors</i> filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Affidavit Reply Statement of Michael Rosman# <u>2</u> Exhibit Exhibits to Rosman Reply Statement# <u>3</u> Affidavit Karen Wuench Statement# <u>4</u> Affidavit Wilfredo Ramos Statement# <u>5</u> Affidavit James Ahearn Statement)(Rosman, Michael) (Entered: 04/29/2005)
04/29/2005	<u>484</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Statement of Facts</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>485</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Memorandum of Point and Auth. in Opp to MSJ</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>486</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Leggott Declaration</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>487</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf1exh 1beg</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>488</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 2 exh 1cont</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>489</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf3 exh1 end and exh 2-4</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>490</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 4 exh 5-7</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>491</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 05 exh 8-13</i> filed by

		United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>492</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 06 exh 14-18</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>493</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 07 exh 19</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>494</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 08 exh 20 beg</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>495</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 09 exh 20 end 21-24</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>496</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 10 exh 25-28</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>497</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 11 exh 29-31</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>498</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 12 exh 32-34</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>499</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 13.1 exh 35 depo trans</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>500</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 13.2 depo trans</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>501</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 14 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>502</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 15 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>503</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 16 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>504</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 17 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>505</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 18 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>506</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 19 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>507</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 20 benef files end McMahon begin</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>508</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 20.1 benef files</i> filed

		by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>509</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 20.1 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>510</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 21 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>511</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 22 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>512</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 23 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>513</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 24 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>514</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 25 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>515</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 26 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>516</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order pdf 27 benef files</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>517</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order U.S. Mem in Supp of Mot to Strike</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>518</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Mot to Strike</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>519</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Opposition to Motion to Enforce para 9</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>520</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Memorandum in Opposition to Cross Motions of Caldero and Arroyo</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>521</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Response to Arroyo Statement of Undisputed Facts</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>522</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Response to Caldero Statement of Undisputed Facts</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>523</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Leggott Declaration In Opposition to Cross Motions</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>524</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Leggott Letter and</i>

		<i>attachments</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>525</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Exhibits to Memorandum in Opposition to Cross Motions of Caldero and Arroyo</i> filed by United States of America. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> )(Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>526</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Opposition to Brennan Motion to Strike</i> filed by United States of America. (Embrey, Diana) (Entered: 04/29/2005)
04/29/2005	<u>527</u>	MOTION for Partial Summary Judgment by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>528</u>	MOTION for Partial Summary Judgment <i>Memorandum of Law in Opposition to Objector-Intervenors Motion for Partial Summary Judgment and in Support of Caldero Intervenors' Motion for Partial Summary Judgment</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>529</u>	MOTION for Partial Summary Judgment <i>Rule 56.1 Statement of Undisputed Facts</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>530</u>	MOTION for Partial Summary Judgment <i>Declaration of Joyce Jacobsen</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>531</u>	MOTION for Partial Summary Judgment <i>Declaration of Jean Phillips</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>532</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Statement in Response to Objector-Intervenors' Rule 56.1 Statment of Undisputed Fact</i> filed by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>533</u>	MOTION for Partial Summary Judgment , <i>in Opposition to the Brennan Intervenors' Motion for Partial Summary Judgment, and in Response to this Court's Order of July 20, 2004</i> by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw. Responses due by 4/29/2005 (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Rule 56.1 Statement of Facts# <u>3</u> Response to Brennan Intervenors' Statement of Facts)(Colangelo, Matthew) (Entered: 04/29/2005)
04/29/2005	<u>534</u>	REPLY to Response to Motion re <u>533</u> MOTION for Partial Summary Judgment , <i>in Opposition to the Brennan Intervenors' Motion for Partial Summary Judgment, and in Response to this Court's Order of July 20, 2004</i> filed by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw. (Attachments: # <u>1</u> Colangelo Declaration of April 29, 2005# <u>2</u> Exhibits 105-120 to the Colangelo Declaration of April 29, 2005# <u>3</u> Exhibits 121-130 to the Colangelo Declaration of April 29, 2005# <u>4</u> Exhibits 131-137 to the Colangelo Declaration of April 29, 2005)(Colangelo, Matthew) (Entered: 04/29/2005)
04/29/2005	<u>535</u>	REPLY to Response to Motion re <u>527</u> MOTION for Partial Summary Judgment filed by Janet A. Caldero. (Attachments: # <u>1</u> Affidavit Reply Declaration of Melissa R. Chernofsky in Opposition to Objector-Intervenors' Motion for Partial Summary Judgment and in Support of Caldero Intervenors' Motion for Partial Summary Judgment# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J# <u>12</u> Exhibit K# <u>13</u> Exhibit L# <u>14</u> Exhibit M# <u>15</u> Exhibit N# <u>16</u> Exhibit O# <u>17</u> Exhibit P# <u>18</u> Exhibit Q# <u>19</u> Exhibit R# <u>20</u> Exhibit S# <u>21</u> Exhibit T# <u>22</u> Exhibit U# <u>23</u> Exhibit V# <u>24</u> Exhibit W# <u>25</u> Exhibit X# <u>26</u> Exhibit Y)(Chernofsky, Melissa) (Entered: 04/29/2005)
04/29/2005	<u>536</u>	AFFIDAVIT re <u>535</u> Reply to Response to Motion,, <i>Certificate of Service</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 04/29/2005)

04/29/2005	<u>537</u>	AFFIDAVIT <i>Colangelo Declaration of Jan. 10, 2005 (supporting Arroyo Intervenors' Motion for Partial Summary Judgment, Doc. No. 533)</i> by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw. (Attachments: # <u>1</u> Exhibits 1–7 to Colangelo Declaration of 1/10/05# <u>2</u> Exhibits 9–13 to Colangelo Declaration of 1/10/05# <u>3</u> Exhibits 15–27 to Colangelo Declaration of 1/10/05# <u>4</u> Exhibits 28–35 to Colangelo Declaration of 1/10/05# <u>5</u> Exhibits 36–42 to Colangelo Declaration of 1/10/05# <u>6</u> Exhibits 43–48 to Colangelo Declaration of 1/10/05# <u>7</u> Exhibit 49 to Colangelo Declaration of 1/10/05# <u>8</u> Exhibits 50–56 to Colangelo Declaration of 1/10/05# <u>9</u> Exhibits 57–65 to Colangelo Declaration of 1/10/05# <u>10</u> Exhibit 66 to Colangelo Declaration of 1/10/05# <u>11</u> Exhibit 67 to Colangelo Declaration of 1/10/05# <u>12</u> Exhibits 68–72 to Colangelo Declaration of 1/10/05# <u>13</u> Exhibits 73–76 to Colangelo Declaration of 1/10/05# <u>14</u> Exhibits 78, 80, & 83–87 to Colangelo Declaration of 1/10/05# <u>15</u> Exhibits 89–96 to Colangelo Declaration of 1/10/05# <u>16</u> Exhibits 97–104 to Colangelo Declaration of 1/10/05)(Colangelo, Matthew) (Entered: 04/29/2005)
04/29/2005	<u>538</u>	NOTICE by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw <i>Notice Regarding the Filing of Exhibits in Paper Form</i> (Colangelo, Matthew) (Entered: 04/29/2005)
04/29/2005	<u>539</u>	RESPONSE to Motion re <u>470</u> MOTION to Enforce Judgment filed by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw. (Attachments: # <u>1</u> Colangelo Declaration of 2–16–05# <u>2</u> Exhibits 1–4 to the Colangelo Declaration of 2–16–05# <u>3</u> Exhibit 5 to the Colangelo Declaration of 2–16–05# <u>4</u> Exhibits 6–18 to the Colangelo Declaration of 2–16–05# <u>5</u> Exhibits 19–27 to the Colangelo Declaration of 2–16–05)(Colangelo, Matthew) (Entered: 04/29/2005)
05/03/2005	<u>540</u>	AFFIDAVIT <i>of Service</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 05/03/2005)
05/04/2005	541	Letter dtd 4/29/05 from Matthew Colangelo, Esq. to Clerk of the Court, regarding the filings of exhibits in paper form along with exhibits. (Williams–Jackson, Sandy) (Entered: 05/04/2005)
05/04/2005	<u>542</u>	RESPONSE to Motion re <u>527</u> MOTION for Partial Summary Judgment, <u>529</u> MOTION for Partial Summary Judgment <i>Rule 56.1 Statement of Undisputed Facts</i> filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Certificate of Service)(Rosman, Michael) (Entered: 05/04/2005)
05/04/2005	<u>543</u>	RESPONSE to Motion re <u>533</u> MOTION for Partial Summary Judgment, <i>in Opposition to the Brennan Intervenors' Motion for Partial Summary Judgment, and in Response to this Court's Order of July 20, 2004 : Rule 56.1 Response To Arroyo Intervenors' Statement of Facts</i> filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Certificate of Service)(Rosman, Michael) (Entered: 05/04/2005)
05/06/2005	<u>544</u>	MOTION to Strike by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Affidavit Statement of Michael Rosman# <u>3</u> Certificate of Service# <u>4</u> United States's Opposition# <u>5</u> Reply Memorandum)(Rosman, Michael) (Entered: 05/06/2005)
05/11/2005	<u>545</u>	DECLARATION of Emily J. Martin in opposition to the Objecter–Intervenors' Objections to Approval of the Settlement Agreement and in of the Caldero Intervenors' <u>527</u> MOTION for Partial Summary Judgment. (Barrett, C.) (Entered: 05/11/2005)
05/11/2005	546	EXHIBITS 1–73 to the Declaration of Emily Martin, dated 12/23/2004. Related document: <u>545</u> Declaration in Support filed by Janet A. Caldero.(Barrett, C.) (Entered: 05/11/2005)
05/11/2005	<u>547</u>	Letter dated 5/3/2005 from Melissa R. Chernofsky to Mr. Michael Ianelli, enclosing originals for docketing of the Martin Declaration with exhibits on behalf of the Caldero Intervenors. (w/o encl.) (Barrett, C.) (Entered: 05/12/2005)



05/16/2005	<u>548</u>	MOTION to Strike <i>Declaration of Norma Cote</i> by United States of America. (Leggott, Charles) (Entered: 05/16/2005)
05/24/2005	<u>549</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order</i> filed by all defendants. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> )(Cote, Norma) (Entered: 05/24/2005)
05/24/2005	<u>550</u>	RESPONSE in Opposition re <u>466</u> MOTION for Partial Summary Judgment <i>And Papers In Response To The Court's July 20, 2004 Order Defendants' Declarations and Exhibits</i> filed by all defendants. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> )(Cote, Norma) (Entered: 05/24/2005)
05/24/2005	<u>551</u>	REPLY to Response to Motion re <u>527</u> MOTION for Partial Summary Judgment, <u>528</u> MOTION for Partial Summary Judgment <i>Memorandum of Law in Opposition to Objector-Intervenors Motion for Partial Summary Judgment and in Support of Caldero Intervenors' Motion for Partial Summary Judgment</i> , <u>529</u> MOTION for Partial Summary Judgment <i>Rule 56.1 Statement of Undisputed Facts</i> , <u>531</u> MOTION for Partial Summary Judgment <i>Declaration of Jean Phillips</i> , <u>530</u> MOTION for Partial Summary Judgment <i>Declaration of Joyce Jacobsen</i> , <u>533</u> MOTION for Partial Summary Judgment , <i>in Opposition to the Brennan Intervenors' Motion for Partial Summary Judgment, and in Response to this Court's Order of July 20, 2004 and Reply to Response of United States to Brennan Intervenors' Objections</i> filed by all defendants. (Attachments: # <u>1</u> declaration of service)(Cote, Norma) (Entered: 05/24/2005)
05/24/2005	<u>552</u>	REPLY to Response to Motion re <u>527</u> MOTION for Partial Summary Judgment, <u>528</u> MOTION for Partial Summary Judgment <i>Memorandum of Law in Opposition to Objector-Intervenors Motion for Partial Summary Judgment and in Support of Caldero Intervenors' Motion for Partial Summary Judgment</i> , <u>529</u> MOTION for Partial Summary Judgment <i>Rule 56.1 Statement of Undisputed Facts</i> , <u>531</u> MOTION for Partial Summary Judgment <i>Declaration of Jean Phillips</i> , <u>530</u> MOTION for Partial Summary Judgment <i>Declaration of Joyce Jacobsen</i> , <u>533</u> MOTION for Partial Summary Judgment , <i>in Opposition to the Brennan Intervenors' Motion for Partial Summary Judgment, and in Response to this Court's Order of July 20, 2004 and Reply to Response of United States to Brennan Intervenors' Objections</i> filed by all defendants. (Attachments: # <u>1</u> Declaration of Service)(Cote, Norma) (Entered: 05/24/2005)
05/26/2005	<u>553</u>	REPLY to Response to Motion re <u>470</u> MOTION to Enforce Judgment, <u>471</u> Notice of MOTION to Enforce Judgment filed by all defendants. (Attachments: # <u>1</u> )(Cote, Norma) (Entered: 05/26/2005)
05/27/2005	<u>554</u>	RESPONSE in Opposition re <u>470</u> MOTION to Enforce Judgment, <u>471</u> Notice of MOTION to Enforce Judgment -- <i>cover letter and opposing papers</i> -- filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Affidavit Rosman Statement# <u>3</u> Exhibit Exhibits To Rosman Statement)(Rosman, Michael) (Entered: 05/27/2005)
05/27/2005	<u>555</u>	RESPONSE in Support re <u>470</u> MOTION to Enforce Judgment <i>and Paragraph 9 of Settlement Agreement</i> filed by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 05/27/2005)
05/31/2005	<u>556</u>	AFFIDAVIT in Support re <u>470</u> MOTION to Enforce Judgment <i>and Paragraph 9 of Settlement Agreement</i> filed by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 05/31/2005)
06/09/2005	<u>557</u>	RESPONSE in Opposition re <u>548</u> MOTION to Strike <i>Declaration of Norma Cote</i> filed by all defendants. (Attachments: # <u>1</u> Affidavit Declaration of Service)(Cote, Norma) (Entered: 06/09/2005)
06/16/2005	<u>558</u>	Letter dated June 14, 2005 from Norma A. Cote, Esq. to Clerk of Court Regarding withdrawal from civil actions 96-374 and 02-256 and replacement by Lawrence J. Profeta, Esq. (Lee, Tiffeny) (Entered: 06/16/2005)
06/24/2005	<u>559</u>	RESPONSE in Opposition re <u>544</u> MOTION to Strike : <i>Letter In Opposition To Defendants' Request To File Opposition Papers Six Weeks Late</i> filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Rosman, Michael) (Entered: 06/24/2005)

07/18/2005	<u>560</u>	Letter from Michael Rosman to The Honorable Frederic Block Regarding Defendants' Request To Move For A Protective Order and/or Preliminary Injunction. (Rosman, Michael) (Entered: 07/18/2005)
07/21/2005	<u>561</u>	Letter from Lawrence J. Profeta to Honorable Frederic Block Regarding response to Intervenor's July 18, 2005 letter (all re defendant's request for pre-motion conference). (Profeta, Lawrence) (Entered: 07/21/2005)
07/22/2005	<u>562</u>	Letter from Charles Leggott to Honorable Frederic Block Regarding U.S. Response to NYBOE 7/14/05 letter requesting pre-motion conference. (Leggott, Charles) (Entered: 07/22/2005)
07/25/2005	<u>563</u>	Letter from Arroyo Intervenor and Caldero Intervenor Regarding Defendants' Request for a Pre-Motion Conference. (Colangelo, Matthew) (Entered: 07/25/2005)
08/16/2005	<u>564</u>	Letter dated 7/14/05 from Lawrence Profeta, Esq. to Judge Block, requesting that the Court schedule a pre-motion conference. (Williams-Jackson, Sandy) (Entered: 08/16/2005)
08/16/2005	<u>565</u>	NOTICE by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw <i>Notice of Recent Authority</i> (Attachments: # <u>1</u> Exhibit)(Colangelo, Matthew) (Entered: 08/16/2005)
08/16/2005	<u>566</u>	MEMORANDUM AND ORDER: New York City Board of Education's motion for a protective order or injunctive relief is denied, see order. Ordered by Judge Frederic Block on August 15, 2005. c/m-chambers(Lee, Tiffeny) (Entered: 08/16/2005)
08/24/2005	<u>567</u>	Letter from Michael Shumsky to Judge Frederic Block Regarding additional authority. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> )(Rosman, Michael) (Entered: 08/24/2005)
09/02/2005	<u>568</u>	Letter from American Civil Liberties Union to Honorable Frederic Block Regarding the Caldero Intervenor's request that the Court disregard the Brennan Intervenor's Letter (Doc. No. 567) and its attachments as untimely. (Chernofsky, Melissa) (Entered: 09/02/2005)
09/02/2005	569	Letter dtd 8/30/05 from Matthew Colangelo, Esq. to Judge Block, requesting that this Court disregard the Brennan Intervenor's letter and all attachments. (Williams-Jackson, Sandy) (Entered: 09/02/2005)
09/12/2005		ELECTRONIC NOTICE of ORAL ARGUMENT: The Court is scheduling oral argument on all the pending motions in this case for Thursday, September 22, 2005 at 2:00 PM. There will not be a formal notice mailed to counsel due to the short notice. Upon receipt of this email counsel shall confirm with each other the date and time of this oral argument. Counsel should notify the Court no less than 48 hours in advance of the oral argument if it presents any conflicts. (Innelli, Michael) (Entered: 09/12/2005)
09/14/2005	<u>570</u>	Letter from Lawrence J. Profeta to Judge Frederic Block Regarding response to August 24, 2005 letter from new counsel for Brennan Intervenor. (Profeta, Lawrence) (Entered: 09/14/2005)
09/19/2005	<u>571</u>	Letter from Emily J. Martin, ACLU Women's Rights Project to Judge Frederic Block Regarding ACLU's conflict with oral argument date set for Sept. 22, 2005. (Chernofsky, Melissa) (Entered: 09/19/2005)
09/20/2005	<u>572</u>	Letter from ACLU Women's Rights Project and Hughes Hubbard & Reed LLP dated Sept. 20, 2005 to Judge Frederic Block Regarding the consent of all Parties that oral argument of the outstanding motions be rescheduled for October 6 or October 7, 2005.. (Chernofsky, Melissa) (Entered: 09/20/2005)
09/20/2005		ELECTRONIC NOTICE of oral argument: The Court is re-scheduling oral argument in this case to Thursday, October 7, 2005 at 2:00 P.M. based on the letter from the ACLU Women's Rights Project noting that all the parties are available. Upon receipt of this email counsel shall confirm with each other the date and time of this oral argument. Counsel should notify the Court no less than 48 hours in

		advance of the oral argument if it presents any conflicts.(Innelli, Michael) (Entered: 09/20/2005)
09/21/2005		CORRECTED ELECTRONIC NOTICE of oral argument: The Court is re-scheduling oral argument in this case to Thursday, October 6, 2005 at 2:00 P.M. based on the letter from the ACLU Women's Rights Project noting that all the parties are available. Upon receipt of this email counsel shall confirm with each other the date and time of this oral argument. Counsel should notify the Court no less than 48 hours in advance of the oral argument if it presents any conflicts.(Innelli, Michael) (Entered: 09/21/2005)
09/21/2005	573	Letter dated 8/24/05 from Michael D. Shumsky to Mr. Heinemann Regarding attached to letter Notice to Appear as Counsel for Pro Hac Vice. (Drayton, Lorraine) (Entered: 09/21/2005)
09/21/2005	574	ORDER Granting the Motion of Michael David Shumsky to Appear as Counsel Pro Hac Vice. Ordered by Judge Frederic Block on 9/12/05. (Drayton, Lorraine) (Entered: 09/21/2005)
09/21/2005	575	Delcaration of Michael David Shumsky in Support of Motion to Admit him as Counsel Pro Hac Vice. (Drayton, Lorraine) (Entered: 09/21/2005)
09/21/2005	576	NOTICE of Motion to Admit Michael David Shumsky as Counsel Pro Hac Vice. (Drayton, Lorraine) (Entered: 09/21/2005)
09/26/2005	<u>577</u>	ORDER granting the <u>449</u> Motion to Amend. Ordered by Judge Frederic Block, on 9/21/2005. Copies mailed by Chambers. (Barrett, C.) (Entered: 09/26/2005)
10/04/2005	<u>578</u>	MOTION for Leave to Appear Pro Hac Vice <i>for an Order Permitting Natalie C. Suhl to Practice Pro Hac Vice</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 10/04/2005)
10/05/2005	<u>579</u>	NOTICE of Appearance by Norma Ann Cote on behalf of New York City Board of Education (Cote, Norma) (Entered: 10/05/2005)
10/06/2005	<u>580</u>	Minute Entry for proceedings held before Frederic Block : Oral Argument held on 10/6/2005. Oral argument as to pending motions. Decision reserved. (Williams-Jackson, Sandy) (Entered: 10/12/2005)
10/13/2005	581	TRANSCRIPT of Oral Argument held on 10/6/2005 before Judge Block. Court Reporter: Sheldon Silverman. (Barrett, C.) (Entered: 10/13/2005)
10/18/2005	<u>582</u>	Letter from United States to Honorable Frederic Block Regarding Cases regarding selection devices. (Leggott, Charles) (Entered: 10/18/2005)
10/21/2005	<u>583</u>	ORDER granting <u>578</u> Motion for Leave to Appear Pro Hac Vice, Natalie C. Suhl for Janet A. Caldero. Ordered by Judge Frederic Block on 10/05/2005. (Lee, Tiffeny) (Entered: 10/21/2005)
02/22/2006	<u>584</u>	AMENDED COMPLAINT <i>In Intervention (Third)</i> against all parties, filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> )(Rosman, Michael) (Entered: 02/22/2006)
06/27/2006	<u>585</u>	ORDER INVITING FURTHER SUBMISSIONS: parties' letter briefs shall not exceed five (5) pages in length and shall be submitted to the Court by 7/17/2006. Ordered by Judge Frederic Block, on 6/23/2006. Copies mailed by Chambers.(Barrett, C.) (Entered: 06/27/2006)
07/17/2006	<u>586</u>	Letter 7/17/2006 <i>Letter from the United States regarding Settlement Negotiations</i> by United States of America. (Leggott, Charles) (Entered: 07/17/2006)
07/17/2006	<u>587</u>	Letter <i>In Response to 6/23/06 Order Inviting Further Submissions</i> by Janet A. Caldero. (Martin, Emily) (Entered: 07/17/2006)
07/17/2006	<u>588</u>	Letter <i>In Response To Court's June 23, 2006 Order</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Exhibit)(Rosman, Michael) (Entered: 07/17/2006)

07/17/2006	<u>589</u>	Letter <i>in Response to the Court's June 23, 2006, Order Inviting Further Submissions</i> by Pedro Arroyo. (Colangelo, Matthew) (Entered: 07/17/2006)
07/18/2006	<u>590</u>	Letter <i>Objecting to the Brennan Intervenors' Use of Inadmissible Evidence</i> by Pedro Arroyo. (Colangelo, Matthew) (Entered: 07/18/2006)
07/31/2006	<u>591</u>	Letter <i>Responding To Arroyo Intervenors' Letter</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Rosman, Michael) (Entered: 07/31/2006)
09/12/2006	<u>592</u>	MEMORANDUM AND ORDER: the board's motion to enter the Agreement as a consent judgment is denied. The Brennan parties' motion for class certification is granted to the extent that the court certifies a class comprising all custodial employees whose layoff-protection rights have been adversely affected by the grant of seniority benefits to the beneficiaries who are non-victims of discrimination. See attached document for discussion on the intervenors' motions for partial summary judgment. The parties shall appear before the Court on 10/11/2006 @ 5:00 p.m., to set a hearing date. Ordered by Judge Frederic Block, on 9/11/2006. Copies mailed by Chambers. (CNB, ) (Entered: 09/12/2006)
09/15/2006	<u>593</u>	Letter <i>Requesting Rescheduling of 10/11/2006 Court Conference</i> by Janet A. Caldero. (Martin, Emily) (Entered: 09/15/2006)
09/15/2006		ELECTRONIC NOTICE: Emily Martin of the ACLU's letter application dated 9/15/06, without the consent of all the other parties, requesting that the October 11, 2006 status conference be adjourned is DENIED at this time. Counsel can re-submit the application after obtaining the consent from all the parties in this case. The Court will then consider the application. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other this notice.(Innelli, Michael) (Entered: 09/15/2006)
09/19/2006	<u>594</u>	ERRATUM re <u>592</u> Order on Motion for Partial Summary Judgment, correcting sentence on page seven (7). Ordered by Judge Frederic Block on 9/12/2006. (Lee, Tiffeny) (Entered: 09/19/2006)
09/21/2006	<u>595</u>	Letter <i>Consent Letter Regarding Scheduling Of Court Conference</i> by Janet A. Caldero. (Martin, Emily) (Entered: 09/21/2006)
09/22/2006		ELECTRONIC NOTICE: Defendant ACLU's letter application dated 9/20/06, with the consent of all the parties is GRANTED, and the status conference scheduled for October 11, 2006 is adjourned to October 24, 2006 at 11:30 A.M. If counsel can agree as to the stipulate facts the Court still wishes to have the conference, however if the parties stipulate to the facts out of town counsel may participate by telephone. A stipulation as to the facts if agreed, shall be filed and served by October 23, 2006. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the new date and time of this conference.(Innelli, Michael) (Entered: 09/22/2006)
10/04/2006	<u>596</u>	Letter dated 9/28/06 from Emily Martin to Counsel of record the enclosed 7 page Memo of Law in Support(not enclosed). (Gonzalez, Mary) (Entered: 10/04/2006)
10/06/2006	<u>597</u>	NOTICE by United States of America of <i>Substitution of Counsel</i> (Embrey, Diana) (Entered: 10/06/2006)
10/17/2006	<u>598</u>	MOTION for Reconsideration re <u>592</u> Order on Motion for Partial Summary Judgment,,, Order on Motion to Enforce Judgment,, by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Supporting Memo of Law# <u>2</u> Opposition Memo of Law# <u>3</u> Opposition Memo Of Law# <u>4</u> Opposition Memo of Law# <u>5</u> Reply Memo)(Rosman, Michael) (Entered: 10/17/2006)
10/18/2006	<u>599</u>	RESPONSE in Opposition re <u>598</u> MOTION for Reconsideration re <u>592</u> Order on Motion for Partial Summary Judgment,,, Order on Motion to Enforce Judgment,, <i>Supplemental Opposition</i> filed by Pedro Arroyo. (Colangelo, Matthew) (Entered: 10/18/2006)
10/20/2006	<u>600</u>	MOTION for Reconsideration re <u>592</u> Order on Motion for Partial Summary Judgment,,, Order on Motion to Enforce Judgment,, by Janet A. Caldero. (Martin, Emily) (Entered: 10/20/2006)

10/20/2006	<u>601</u>	MEMORANDUM in Support re <u>600</u> MOTION for Reconsideration re <u>592</u> Order on Motion for Partial Summary Judgment,, Order on Motion to Enforce Judgment,, by Janet A. Caldero. (Martin, Emily) (Entered: 10/20/2006)
10/20/2006	<u>602</u>	MOTION for Reconsideration re <u>592</u> Order on Motion for Partial Summary Judgment,, Order on Motion to Enforce Judgment,, by Janet A. Caldero. (Attachments: # <u>1</u> The Caldero Intervenors' Memorandum Of Law In Support of Their Motion For Reconsideration and Clarification# <u>2</u> The United States' Memorandum In Response To The Caldero Intervenors' Motion For Reconsideration And Clarification# <u>3</u> The Brennan Intervenors' Memorandum Of Law In Opposition To The Caldero Intervenors' Motion To Reconsider And For Clarification# <u>4</u> Arroyo Intervenors' Reply Memorandum Of Law Regarding The Caldero Intervenors' Motion For Reconsideration# <u>5</u> Memorandum In Reply To The United States' And Brennan Intervenors' Responses To The Caldero Intervenors' Motion For Reconsideration and Clarification)(Martin, Emily) (Entered: 10/20/2006)
10/24/2006	<u>603</u>	ORDER granting pro hac vice admission to Attorney Araceli Martinez-Olguin appearing for Janet A. Caldero. Ordered by Judge Robert M. Levy on 10/23/2006. (Lee, Tiffeny) (Entered: 10/30/2006)
10/24/2006	<u>609</u>	Minute Entry for proceedings held before Frederic Block: Status Conference held on 10/24/2006. Motions for reconsideration of the Court's most recent decision discussed, decision reserved. See document for further detail. (not reported) (Lee, Tiffeny) (Entered: 11/16/2006)
10/31/2006	<u>604</u>	NOTICE of Appearance by Araceli Martinez-Olguin on behalf of Janet A. Caldero (Martinez-Olguin, Araceli) (Entered: 10/31/2006)
10/31/2006	<u>605</u>	Letter <i>Summarizing Procedures For Resolution Of Matter Reached During 10/24/2006 Court Conference</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Rosman, Michael) (Entered: 10/31/2006)
11/06/2006		ELECTRONIC NOTICE The Court is scheduling a hearing with the consent of all counsel for November 21, 2006 at 11:00 A.M. to address the concerns raised at the conference held on October 24, 2006. Should counsel determine that a hearing will not be needed, they should notify the Court promptly. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the date and time of this hearing.(Innelli, Michael) (Entered: 11/06/2006)
11/08/2006	<u>606</u>	ORDER granting application for an extension of time to file brief to 11/11/10/2006. Ordered by Judge Frederic Block on 11/6/2006. (Lee, Tiffeny) (Entered: 11/08/2006)
11/09/2006	<u>607</u>	MEMORANDUM in Support <i>Caldero Intervenors' Submission Addressing Individual Recruitment Discrimination Hearings</i> by Janet A. Caldero. (Martin, Emily) (Entered: 11/09/2006)
11/14/2006	<u>608</u>	NOTICE by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn <i>Re Submissions On Categorization of Beneficiaries From All Parties</i> (Attachments: # <u>1</u> U.S. Response# <u>2</u> Arroyo Response# <u>3</u> Caldero Response# <u>4</u> Brennan Reply)(Rosman, Michael) (Entered: 11/14/2006)
11/21/2006	<u>614</u>	Minute Entry for proceedings held before Frederic Block: Hearing held on 11/21/2006. Witnesses sworn/testify. Exhibits entered into evidence. Decision reserved. Counsel to submit further letter submissions within two (2) weeks. (Court Reporter Anthony Mancuso) (Lee, Tiffeny) (Entered: 12/07/2006)
11/27/2006	<u>610</u>	NOTICE by Janet A. Caldero re <u>608</u> Notice(Other), Notice(Other) <i>Caldero Intervenors' Reply To United States' Response On The Categorization Of Beneficiaries</i> (Attachments: # <u>1</u> The United States' Response To The Caldero Intervenors' Submission On The Categorization Of Beneficiaries)(Martin, Emily) (Entered: 11/27/2006)
11/29/2006		ELECTRONIC ORDER: The Caldero Intervenors faxed letter application dated 11/22/06 is GRANTED. They may serve and file a reply to the Brennan Intervenors opposition to their 11/9/06 submission. There will be no formal order

		mailed to counsel. Upon receipt of this email counsel shall confirm with each other of this order. Ordered by Judge Frederic Block on 11/29/07. (Innelli, Michael) (Entered: 11/29/2006)
12/05/2006	<u>611</u>	Letter <i>Arroyo Intervenors' Post-Hearing Submission Regarding Disparate Impact of Exam 8206 on Hispanics</i> by Pedro Arroyo. (Colangelo, Matthew) (Entered: 12/05/2006)
12/05/2006	<u>612</u>	Letter <i>Memorandum (1) Addressing Issues Related To November 21, 2006 Evidentiary Hearing On Disparate Impact of Exam 8206 and (2) Responding To Caldero Intervenors' Submission Regarding The Need For Additional Evidentiary Hearings To Show That They Were Victims Of Recruitment Discrimination</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Exhibit US Reqs To Admit# <u>2</u> Exhibit Dfs' Resp. To US Reqs To Admit)(Rosman, Michael) (Entered: 12/05/2006)
12/05/2006	<u>613</u>	Letter <i>Submission Post-Hearing re Disparate Impact of Exam 8206</i> by United States of America. (Attachments: # <u>1</u> Exhibit Uniform Guidelines On Employee Selection Procedures)(Tamburo, Esther) (Entered: 12/05/2006)
12/11/2006	<u>615</u>	Letter dated 11/22/06 from Araceli Martinez-Olguin to Judge Block re: requesting leave to submit a brief reply to the Brennan Intervenors' response. (Drayton, Lorraine) (Entered: 12/11/2006)
12/14/2006	<u>616</u>	Letter <i>Response to Brennan Intervenor Letter Submission re Exam 8206</i> by United States of America. (Attachments: # <u>1</u> Affidavit Declaration of Bernard Siskin, Ph D.)(Tamburo, Esther) (Entered: 12/14/2006)
12/20/2006	<u>617</u>	REPLY in Support re <u>607</u> Memorandum in Support of <i>Individual Recruitment Hearings</i> by Janet A. Caldero. (Martin, Emily) (Entered: 12/20/2006)
12/28/2006	<u>618</u>	MOTION to Consolidate Cases by Ruben Miranda. (Attachments: # <u>1</u> Moving Memorandum# <u>2</u> Arroyo Intervenors' Opposition Memo# <u>3</u> Caldero Intervenors' Opposition Memo# <u>4</u> Reply Memorandum)(Rosman, Michael) (Entered: 12/28/2006)
01/03/2007	<u>619</u>	NOTICE by United States of America of <i>Withdrawal of Appearance of Counsel</i> (Tamburo, Esther) (Entered: 01/03/2007)
01/25/2007	<u>620</u>	MOTION to Strike by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <u>1</u> Supporting Memorandum# <u>2</u> Opposing Memorandum of United States# <u>3</u> Reply Memorandum) (Rosman, Michael) (Entered: 01/25/2007)
03/12/2007	<u>621</u>	Letter <i>Letter to update the Court regarding stipulation among the parties</i> by Pedro Arroyo (Colangelo, Matthew) (Entered: 03/12/2007)
03/29/2007		Motions terminated: SEE ENTRY 598. <u>602</u> MOTION for Reconsideration re 592 Order on Motion for Partial Summary Judgment,, Order on Motion to Enforce Judgment,, filed by Janet A. Caldero, <u>600</u> MOTION for Reconsideration re 592 Order on Motion for Partial Summary Judgment,, Order on Motion to Enforce Judgment,, filed by Janet A. Caldero. (Innelli, Michael) (Entered: 03/29/2007)
04/25/2007	<u>622</u>	MEMORANDUM & ORDER: The Court finds that the United States established a strong basis in evidence that the 8206 Exam had a disparate impact on Hispanics; therefore, to the extent the Agreement made awards based on the exam, except for purposes of layoffs, it comports with the Fourteenth Amendment and, a fortiori, Title VII. The Court clarifies that the holdings of the September 11th MO apply to both retroactive seniority and seniority based on permanent appointment. For purposes of injunctive and declaratory relief, the Court certifies a class comprising all custodial employees whose seniority for purposes of transfers, TCAs and layoff protection has been adversely affected by the grant seniority benefits to the Offerees. An evidentiary hearing is required to determine (a) whether the Board and the United States intended to categorize Offerees as testing-claim and recruiting-claim beneficiaries and, if so, (b) which Offerees fall into each category. Ordered by Judge Frederic Block on 4/20/2007. (c/m-chambers) (Lee, Tiffeny) (Entered: 04/25/2007)

04/25/2007		ELECTRONIC NOTICE: A hearing is schedule for August 22, 2007 @ 11AM to address the issues in the Court's Memorandum & Order dated April 20, 2007 <u>622</u> . There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the date and time of this hearing. (Innelli, Michael) (Entered: 04/25/2007)
05/15/2007	<u>623</u>	Letter <i>to the Court</i> by Pedro Arroyo (Colangelo, Matthew) (Entered: 05/15/2007)
05/18/2007	<u>624</u>	NOTICE by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn re 344 Notice (Other) : <i>Request For Ruling On Previously-Filed Rule 72 Objections</i> (Rosman, Michael) (Entered: 05/18/2007)
06/05/2007		ELECTRONIC NOTICE: The civil hearing scheduled for August 22, 2007 is being advanced by the Court to August 20, 2007 @ 11AM due to a scheduled criminal trial. There will not be a formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the new date and time of this hearing. If this date presents a conflict counsel shall first obtain the consent from all the parties to adjourn this hearing, and then notify the Court. (Innelli, Michael) (Entered: 06/05/2007)
06/21/2007	<u>625</u>	NOTICE by Janet A. Caldero <i>Submission Addressing The Court-Ordered Evidentiary Hearing And Necessary Discovery</i> (Attachments: # <u>1</u> Exhibit A: May 2, 2003, Notice of Deposition# <u>2</u> Exhibit B: September 2, 2003, Defendants' Response To Objector-Intervenors' Contention Interrogatories To Defendants# <u>3</u> Exhibit C: February 3, 2003, Transcript of Civil Cause For Status Conference# <u>4</u> Exhibit D: May 27, 1999, Transcript of Hearing# <u>5</u> Exhibit E: September 2, 2003, United States' Response To Intervenor-Objectors' Contention Interrogatories To The United States) (Martin, Emily) (Entered: 06/21/2007)
07/03/2007	<u>626</u>	NOTICE by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn re <u>625</u> Notice(Other), Notice(Other), Notice(Other) : <i>Response To Caldero Intervenors' Submission Re Upcoming Evidentiary Hearing</i> (Rosman, Michael) (Entered: 07/03/2007)
07/12/2007	<u>627</u>	NOTICE by Janet A. Caldero re <u>626</u> Notice(Other) <i>Reply To The Brennan Intervenors' Response Addressing The Evidentiary Hearing</i> (Martin, Emily) (Entered: 07/12/2007)
07/16/2007	<u>628</u>	NOTICE of Appearance by Esther Gwen Tamburo on behalf of United States of America (notification declined) (Tamburo, Esther) (Entered: 07/16/2007)
07/16/2007	<u>629</u>	NOTICE by United States of America <i>of Appearance of Michael J. Alexis</i> (Tamburo, Esther) (Entered: 07/16/2007)
07/17/2007		Incorrect Document/Entry Information regarding <u>629</u> Notice. A notice of appearance must be filed using appearing counsel's log in and password issued by the Eastern District of New York for CM/ECF. Failure to use appearing counsel's log in information along with the event Notice of Appearance results in counsel not appearing on the docket as well as counsel not receiving email notifications. (Lee, Tiffeny) (Entered: 07/17/2007)
07/18/2007	<u>630</u>	NOTICE of Appearance by Michael J. Alexis on behalf of United States of America (aty to be noticed) (Alexis, Michael) (Entered: 07/18/2007)
07/18/2007	<u>631</u>	NOTICE by United States of America <i>of Renewed Request for Evidentiary Hearing on Actual Victim Status and Position Regarding an Evidentiary Hearing as to the Intent of the Parties with Respect to the Categorization of Beneficiaries of the 1999 Agreement</i> (Tamburo, Esther) (Entered: 07/18/2007)
07/18/2007	<u>632</u>	NOTICE by United States of America re <u>631</u> Notice(Other), Notice(Other) <i>Filing of Correction Page</i> (Attachments: # <u>1</u> Exhibit Corrected Page 5) (Tamburo, Esther) (Entered: 07/18/2007)
07/23/2007		ELECTROIC ORDER: The parties are ordered to engage in discovery limited to the focused issue of whether, in developing the list of Offerees, the United States and the Board intended to categorize Offerees based on whether each Offeree had taken a challenged exam. Because this litigation has already been protracted over more than 10 years, there will be no adjournment of the August 20, 2007 hearing.

		The parties are expected to engage in discovery expeditiously and in good faith. See Fed. R. Civ. P. 37. Ordered by Judge Frederic Block on 7/23/07. (Innelli, Michael) (Entered: 07/23/2007)
07/27/2007	<u>633</u>	Letter by Janet A. Caldero (Martin, Emily) (Entered: 07/27/2007)
07/30/2007	<u>634</u>	NOTICE by Janet A. Caldero <i>Substitution of Counsel</i> (Chernofsky, Melissa) (Entered: 07/30/2007)
08/06/2007		ELECTRONIC NOTICE: Pursuant to Caldero Intervenors letter application dated 7/27/07 the Court is scheduling a telephone conference for August 7, 2007 @ 5pm. The Caldero Intervenors are required to contact all counsel by telephone and then contact the Court for this telephone conference. There will be no formal notice mailed to counsel. (Innelli, Michael) (Entered: 08/06/2007)
08/06/2007	<u>635</u>	Letter <i>Informing Court of Discovery Dispute Prior to Status Conference</i> by Janet A. Caldero (Attachments: # <u>1</u> Caldero Intervenors' Interrogatories to United States# <u>2</u> Caldero Intervenors' Document Request to the United States# <u>3</u> United States' Objections to Interrogatories# <u>4</u> United States' Objections to Document Requests) (Chernofsky, Melissa) (Entered: 08/06/2007)
08/07/2007		AMENDED ELECTRONIC NOTICE: Pursuant to Caldero Intervenors letter application dated 7/27/07 the Court is scheduling a telephone conference for August 8, 2007 @ 5pm., instead of today, August 7, 2007. The Caldero Intervenors are required to contact all counsel by telephone and then contact the Court for this telephone conference. There will be no formal notice mailed to counsel. (Innelli, Michael) (Entered: 08/07/2007)
08/07/2007	<u>636</u>	NOTICE of Change of attached email addresses by Michael Evan Rosman (Rosman, Michael) (Entered: 08/07/2007)
08/07/2007		ELECTRONIC NOTICE: The telephone conference schedule for August 8, 2007 will take place at 3:00pm instead of 5:00pm. (Innelli, Michael) (Entered: 08/07/2007)
08/07/2007		ELECTRONIC NOTICE: The Caldero Intervenor's phone call application on 8/7/07, with the consent of all the parties is GRANTED. The telephone conference scheduled for August 8, 2007 is adjourned to August 9, 2007 at 3:00 P.M. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the new date and time of this telephone conference. (Innelli, Michael) (Entered: 08/07/2007)
08/08/2007		ELECTRONIC NOTICE: The Caldero Intervenor's phone call application on 8/8/07, with the consent of all the parties is GRANTED. The telephone conference scheduled for August 9, 2007 is adjourned to August 10, 2007 at 3:30 P.M. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the new date and time of this telephone conference. (Innelli, Michael) (Entered: 08/08/2007)
08/08/2007	<u>637</u>	Letter <i>Responding to Caldero Intervenor Letter Informing Court of Discovery Dispute</i> by United States of America (Tamburo, Esther) (Entered: 08/08/2007)
08/10/2007	<u>638</u>	Minute Entry for proceedings held before Hon. Frederic Block: Status Conference held on 8/10/2007. Case called. All counsel present by telephone. Rulings and clarifications as to the Court's Discovery Order. (Not Reported) (Abdallah, Fida) (Entered: 08/14/2007)
08/15/2007	<u>639</u>	Letter <i>to the Court re Testimony of Jodi Danis</i> by United States of America (Tamburo, Esther) (Entered: 08/15/2007)
08/20/2007	<u>640</u>	Minute Entry for proceedings held before Frederic Block: Evidentiary Hearing held on 8/20/2007. Witnesses sworn. Exhibits offered and entered into evidence. Decision reserved. Further briefs due 9/14/2007. (Court Reporter Victoria Torres-Butler) (Lee, Tiffeny) (Entered: 08/22/2007)
08/30/2007	<u>641</u>	MEMORANDUM & ORDER: Plaintiff's <u>618</u> Motion to Consolidate Cases is granted. Ordered by Judge Frederic Block on 8/24/2007. (c/m-chambers) (Lee, Tiffeny) (Entered: 08/30/2007)



08/30/2007		Case Consolidated. (Lee, Tiffeny) (Entered: 08/30/2007)
08/30/2007	<u>642</u>	CONSOLIDATION ORDER: It is ordered that case number CV-06-2921 be consolidated into lead case number CV-96-374 as related actions. It is ordered that case number CV-2921 be administratively closed and all further entries be made on the lead case, docket number CV-96-374. Ordered by Judge Frederic Block on August 29, 2007. (c/m-chambers) Associated Cases: 1:96-cv-00374-FB, 1:06-cv-02921-FB-RML (Lee, Tiffeny) (Entered: 08/30/2007)
08/31/2007	<u>643</u>	Letter <i>Regarding Undisputed Facts To Determine "Actual Victim" Status</i> by United States of America (Attachments: # <u>1</u> Exhibit Tentative Draft Proposed Order) (Tamburo, Esther) (Entered: 08/31/2007)
09/14/2007	<u>644</u>	Letter <i>w/Defendant's Memo of Law in Opposition to the Objections of the Brennan Intervenors to Para. 13-16 of the Settlement agreement</i> by New York City Board of Education (Profeta, Lawrence) (Entered: 09/14/2007)
09/14/2007	<u>645</u>	Letter <i>Post-Hearing Submission</i> by United States of America (Tamburo, Esther) (Entered: 09/14/2007)
09/14/2007	<u>646</u>	Letter <i>Post-Trial Letter to Court</i> by Dennis Mortensen, Scott Spring, Ruben Miranda, John Brennan, James G. Ahearn (Rosman, Michael) (Entered: 09/14/2007)
09/14/2007	<u>647</u>	Letter <i>Post-Trial Letter Brief</i> by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw (Colangelo, Matthew) (Entered: 09/14/2007)
09/14/2007	<u>648</u>	Letter <i>Post-Hearing Submission</i> by Janet A. Caldero (Attachments: # <u>1</u> Exhibit Excerpts from Transcript of August 20, 2007 Hearing) (Chernofsky, Melissa) (Entered: 09/14/2007)
09/17/2007	<u>649</u>	Letter <i>Exhibit B to Post-Hearing Submission, Redacted Excerpt of Eligibility List</i> by Janet A. Caldero (Chernofsky, Melissa) (Entered: 09/17/2007)
12/18/2007		ELECTRONIC ORDER: Due to the volume of the record, counsel for the Brennan Intervenors shall, on or before January 4, 2008, file a letter memorandum setting forth the specific facts (accompanied by record citations) supporting their contention that the following individuals are not actual victims of testing discrimination or otherwise received more than make whole relief under the Settlement Agreement: Cordero, RicardoFields, ThomasJohnson, RonaldLambert, CarlaMarshall, VernonPagan, AngelPantelides, AnthonyRivera, SeanTorres, LuisThe other parties may file responses to the Brennan Intervenors submission on or before January 11, 2008. Ordered by Senior Judge Frederic Block on 12/18/07. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Innelli, Michael) (Entered: 12/18/2007)
01/04/2008	<u>650</u>	Letter <i>Responding To Court's December 18, 2007 Order</i> by Dennis Mortensen, Scott Spring, Ruben Miranda, John Brennan, James G. Ahearn (Rosman, Michael) (Entered: 01/04/2008)
01/11/2008	<u>651</u>	Letter <i>Responding to the Brennan Intervenors' Submission of Jan. 4, 2008</i> by Pedro Arroyo, Jose Casado, Celestino Fernandez, Kevin LaFaye, Steven Lopez, Anibal Maldonado, James Martinez, Silvia Ortega de Green, Nicholas Pantelides, Wilbert McGraw (Colangelo, Matthew) (Entered: 01/11/2008)
01/11/2008	<u>652</u>	Letter <i>Responding to Brennan Intervenors' Submission on Jan 4, 2008</i> by Janet A. Caldero, Janet A. Caldero Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Martinez-Olguin, Araceli) (Entered: 01/11/2008)
01/11/2008	<u>653</u>	Letter <i>Responding to Brennan Intervenors' Letter In Response to Court's 12/18/2007 Order</i> by United States of America Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Tamburo, Esther) (Entered: 01/11/2008)

05/08/2008	<u>654</u>	Letter <i>Requesting Pre-Motion Conference</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn (Rosman, Michael) (Entered: 05/08/2008)
05/13/2008	<u>655</u>	MEMORANDUM AND ORDER: The Court approves the proposed notice and sets 5/23/2008 as the date by which objections must be postmarked. On or before 5/16/2008, the Board shall service the notice on class members by e-mail, and shall immediately thereafter file a certificate attesting that such service has been completed. In addition, the Court will post the notice and the proposed order on its website. After the deadline for objections passes, the Court will review any objections received and determine whether to hold a hearing. Ordered by Senior Judge Frederic Block on May 12, 2008. (c/m) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML (Lee, Tiffeny) (Entered: 05/13/2008)
05/15/2008	<u>656</u>	CERTIFICATE OF SERVICE by New York City Board of Education, Department of Citywide Administrative Services, William J. Diamond re <u>655</u> Memorandum & Opinion., <i>regarding email service of Notice to Class</i> (Profeta, Lawrence) (Entered: 05/15/2008)
05/23/2008	<u>657</u>	NOTICE of Change of email addresses to which notice should be sent by Michael Evan Rosman Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Rosman, Michael) (Entered: 05/23/2008)
05/28/2008		ELECTRONIC NOTICE: Since the Court has recieved no objections from any class members as to counsels stipulation adjusting retroactive seniority dates the fairness hearing scheduled for May 23, 2008 @ 4PM is canceled. Upon receipt of this email counsel shall confirm with each other that the fairness hearing is canceled. There will be no formal notice mailed to counsel. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Innelli, Michael) (Entered: 05/28/2008)
05/30/2008	<u>658</u>	ORDER regarding determining the order of layoffs. Ordered by Senior Judge Frederic Block on 5/28/2008. (Lagana, Michael) (Entered: 05/30/2008)
05/30/2008	<u>659</u>	MEMORANDUM AND ORDER. Ordered by Senior Judge Frederic Block on 5/28/2008. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML (Lagana, Michael) (Entered: 05/30/2008)
06/13/2008	<u>660</u>	MOTION for Reconsideration re <u>659</u> Memorandum & Opinion <i>Request for Clarification</i> by Janet A. Caldero. (Chernofsky, Melissa) (Entered: 06/13/2008)
07/03/2008	<u>661</u>	RESPONSE to Motion re (660 in 1:96-cv-00374-FB) MOTION for Reconsideration re (659) Memorandum & Opinion <i>Request for Clarification</i> filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn, Ruben Miranda, John Mitchell, Eric Schauer. (Attachments: # <u>1</u> cover letter) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Rosman, Michael) (Entered: 07/03/2008)
07/09/2008	<u>662</u>	REPLY to Response to Motion re (660 in 1:96-cv-00374-FB) MOTION for Reconsideration re (659) Memorandum & Opinion <i>Request for Clarification</i> filed by Janet A. Caldero, Janet A. Caldero. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Martinez-Olguin, Araceli) (Entered: 07/09/2008)
07/25/2008	<u>663</u>	SCHEDULING ORDER: The Court is scheduling oral argument on July 29, 2008 at 3:00 P.M. as to the Caldero plaintiff-intervenors motion <u>660</u> for reconsideration and clarification. There will be no formal notice mailed to counsel. Upon receipt of this email counsel shall confirm with each other the date and time of this oral argument. Counsel should notify the Court no less then 48 hours in advance of the oral argument if it presents any conflicts. Ordered by Senior Judge Frederic Block on 7/25/08. (Innelli, Michael) (Entered: 07/25/2008)
07/29/2008		Minute Entry for proceedings held before Senior Judge Frederic Block: Michael Rosman, Esq. for the plaintiffs; Michael Alexis, Esq. & Esta Tamboro, Esq. for the Department of Justice; Lawrence Profeta, Esq. for New York City; Emily Martin, Esq. & Melissa Chernofsky, Esq. for Caldero Plaintiff Intervenor's; Matthew Colangelo, Esq. for Arroyo Plaintiff Intervenor's. All counsel present by telephone. Motion Hearing held on 7/29/2008 as to Plaintiff-Caldero Intervenor's motion <u>660</u>

		for reconsideration/ clarification of the Court's M0dated May 28, 2008 argued. The Court will issue a written decision. Counsel will submit a stipulation extending their time to file a motion for counsel fees until after the appeal is decided. The Court will direct the clerk to enter judgment as to this action and the two related actions ( CV-02-256(FB) &CV-06-2921(FB) so counsel can then file an appeal. (Court Reporter Marie Foley-(718) 613-2596) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Innelli, Michael) Modified on 7/29/2008 (Innelli, Michael). (Entered: 07/29/2008)
08/19/2008	<a href="#"><u>664</u></a>	MEMORANDUM AND ORDER, Accordingly, the court clarifies that the schedules appended to its May 28 M0refer only to retroactive seniority, and that all individuals on those schedules are regardless of whether they are entitled to retain any retroactive seniority for layoff-protection purposes - entitled to retain for all purposes the seniority flowing from their permanent appointments. (Ordered by Senior Judge Frederic Block on 8/18/08) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML (Piper, Francine) (Entered: 08/19/2008)
08/22/2008	<a href="#"><u>665</u></a>	CLERK'S JUDGMENT that the Court makes the following declarations in Case No. 96-CV-374 regarding paragraphs 13-16 of the Settlement Agreement between the United States and the New York City Board of Education - See document for declarations. All parties have agreed that the foregoing declarations are to apply in Case Nos. 02-CV-256 and 06-CV-2921. Ordered by Robert C. Heinemann, Clerk of Court by Michael Innelli, Deputy Clerk on 8/18/2008. (Attachments: # <a href="#"><u>1</u></a> Schedules A-B) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Lee, Tiffeny) (Entered: 08/26/2008)
09/05/2008	<a href="#"><u>666</u></a>	NOTICE of Change of Firm by Melissa R. Chernofsky Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 09/05/2008)
09/26/2008	<a href="#"><u>667</u></a>	Letter to all counsel re motion to correct record by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn (Rosman, Michael) (Entered: 09/26/2008)
10/03/2008	<a href="#"><u>668</u></a>	MOTION to Amend/Correct/Supplement <i>The Record Pursuant To Fed. R. Civ. P. 60(a)</i> by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Attachments: # <a href="#"><u>1</u></a> Exhibit Exhibit to Motion, # <a href="#"><u>2</u></a> Memorandum in Support) (Rosman, Michael) (Entered: 10/03/2008)
10/20/2008	<a href="#"><u>669</u></a>	NOTICE OF APPEAL as to ( <a href="#"><u>665</u></a> in 1:96-cv-00374-FB) Clerk's Judgment,, by Dennis Mortensen, Scott Spring, John Brennan, James Ahearn. Filing fee \$ 455, receipt number 02070000000003196526. (Rosman, Michael) (Entered: 10/20/2008)
10/21/2008	<a href="#"><u>670</u></a>	NOTICE OF APPEAL as to <a href="#"><u>665</u></a> Clerk's Judgment,, by United States of America. Appeal Record due by 11/10/2008. (Tamburo, Esther) (Entered: 10/21/2008)
10/21/2008		Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <a href="#"><u>601</u></a> Memorandum in Support, <a href="#"><u>660</u></a> Motion for Reconsideration, <a href="#"><u>540</u></a> Affidavit, <a href="#"><u>654</u></a> Letter, <a href="#"><u>611</u></a> Letter, <a href="#"><u>625</u></a> Notice(Other), Notice(Other), Notice(Other), <a href="#"><u>451</u></a> Notice (Other), <a href="#"><u>570</u></a> Letter, <a href="#"><u>483</u></a> Reply to Response to Motion,, <a href="#"><u>566</u></a> Memorandum &Opinion, <a href="#"><u>494</u></a> Response in Opposition to Motion, <a href="#"><u>565</u></a> Notice (Other), Notice (Other), <a href="#"><u>534</u></a> Reply to Response to Motion,, <a href="#"><u>507</u></a> Response in Opposition to Motion, <a href="#"><u>578</u></a> Motion for Leave to Appear Pro Hac Vice, <a href="#"><u>548</u></a> Motion to Strike, <a href="#"><u>634</u></a> Notice(Other), <a href="#"><u>558</u></a> Letter, <a href="#"><u>655</u></a> Memorandum &Opinion,, <a href="#"><u>609</u></a> Status Conference, <a href="#"><u>450</u></a> Motion to Compel, <a href="#"><u>539</u></a> Response to Motion,, <a href="#"><u>498</u></a> Response in Opposition to Motion, <a href="#"><u>464</u></a> Letter, <a href="#"><u>633</u></a> Letter, <a href="#"><u>663</u></a> Scheduling Order,, <a href="#"><u>513</u></a> Response in Opposition to Motion, <a href="#"><u>533</u></a> Motion for Partial Summary Judgment,, <a href="#"><u>392</u></a> Scheduling Order, <a href="#"><u>469</u></a> Letter, <a href="#"><u>562</u></a> Letter, <a href="#"><u>499</u></a> Response in Opposition to Motion, <a href="#"><u>583</u></a> Order on Motion for Leave to Appear, <a href="#"><u>636</u></a> NOTICE of Change of Address/Firm/Email, <a href="#"><u>551</u></a> Reply to Response to Motion,, <a href="#"><u>661</u></a> Response to Motion, <a href="#"><u>515</u></a> Response in Opposition to Motion, <a href="#"><u>466</u></a> Motion for Partial Summary Judgment,,,,, <a href="#"><u>642</u></a> Order, <a href="#"><u>461</u></a> Order, <a href="#"><u>629</u></a> Notice(Other), <a href="#"><u>524</u></a> Response in Opposition to Motion, <a href="#"><u>502</u></a> Response in Opposition to Motion, <a href="#"><u>606</u></a> Order, <a href="#"><u>519</u></a> Response in Opposition to Motion, <a href="#"><u>484</u></a> Response in Opposition to

		<p>Motion, <u>577</u> Order on Motion to Amend/Correct/Supplement, <u>441</u> Order on Motion to Intervene, <u>587</u> Letter, <u>545</u> Affidavit in Support, <u>627</u> Notice(Other), <u>597</u> Notice(Other), <u>588</u> Letter, <u>598</u> Motion for Reconsideration, <u>612</u> Letter, <u>491</u> Response in Opposition to Motion, <u>613</u> Letter, <u>485</u> Response in Opposition to Motion, <u>670</u> Notice of Appeal, <u>615</u> Letter, <u>529</u> Motion for Partial Summary Judgment, <u>580</u> Status Conference, <u>632</u> Notice(Other), <u>610</u> Notice(Other), Notice(Other), <u>512</u> Response in Opposition to Motion, <u>471</u> Motion to Enforce Judgment, <u>639</u> Letter, <u>447</u> Letter, <u>572</u> Letter, <u>514</u> Response in Opposition to Motion, <u>649</u> Letter, <u>520</u> Response in Opposition to Motion, <u>582</u> Letter, <u>536</u> Affidavit, <u>490</u> Response in Opposition to Motion, <u>550</u> Response in Opposition to Motion, <u>440</u> Pre Motion Conference, <u>381</u> Notice (Other), Notice (Other), Notice (Other), Notice (Other), <u>656</u> Certificate of Service, <u>523</u> Response in Opposition to Motion, <u>531</u> Motion for Partial Summary Judgment, <u>530</u> Motion for Partial Summary Judgment, <u>593</u> Letter, <u>626</u> Notice(Other), <u>667</u> Letter, <u>557</u> Response in Opposition to Motion, <u>477</u> Memorandum &amp;Opinion, <u>621</u> Letter, <u>659</u> Memorandum &amp;Opinion, <u>478</u> Letter, <u>664</u> Order on Motion for Reconsideration,, <u>442</u> Stipulation, <u>599</u> Response in Opposition to Motion, <u>619</u> Notice(Other), <u>495</u> Response in Opposition to Motion, <u>652</u> Letter, <u>555</u> Response in Support of Motion, <u>607</u> Memorandum in Support, <u>624</u> Notice(Other), <u>638</u> Status Conference, <u>614</u> Docket Call, <u>504</u> Response in Opposition to Motion, <u>563</u> Letter, <u>506</u> Response in Opposition to Motion, <u>630</u> Notice of Appearance, <u>443</u> Order, <u>662</u> Reply to Response to Motion, <u>561</u> Letter, <u>526</u> Response in Opposition to Motion, <u>622</u> Order on Motion for Reconsideration, Order on Motion to Strike,,,,,, <u>669</u> Notice of Appeal, <u>651</u> Letter, <u>538</u> Notice (Other), Notice (Other), <u>455</u> Motion for Limited Admission, <u>564</u> Letter, <u>517</u> Response in Opposition to Motion, <u>605</u> Letter, <u>552</u> Reply to Response to Motion,,, <u>544</u> Motion to Strike, <u>487</u> Response in Opposition to Motion, <u>338</u> Memorandum &amp;Opinion, <u>658</u> Order, <u>618</u> Motion to Consolidate Cases, <u>584</u> Amended Complaint, <u>559</u> Response in Opposition to Motion, <u>553</u> Reply to Response to Motion, <u>620</u> Motion to Strike, <u>568</u> Letter, <u>535</u> Reply to Response to Motion,, <u>657</u> NOTICE of Change of Address/Firm/Email, <u>470</u> Motion to Enforce Judgment, <u>496</u> Response in Opposition to Motion, <u>602</u> Motion for Reconsideration,,, <u>503</u> Response in Opposition to Motion, <u>650</u> Letter, <u>542</u> Response to Motion, <u>488</u> Response in Opposition to Motion, <u>590</u> Letter, <u>508</u> Response in Opposition to Motion, <u>518</u> Response in Opposition to Motion, <u>648</u> Letter, <u>653</u> Letter, <u>407</u> Notice (Other), <u>509</u> Response in Opposition to Motion, <u>640</u> Evidentiary Hearing, <u>489</u> Response in Opposition to Motion, <u>571</u> Letter, <u>521</u> Response in Opposition to Motion, <u>510</u> Response in Opposition to Motion, <u>537</u> Affidavit,,,,, <u>473</u> Letter, <u>666</u> NOTICE of Change of Address/Firm/Email, <u>600</u> Motion for Reconsideration, <u>527</u> Motion for Partial Summary Judgment, <u>623</u> Letter, <u>549</u> Response in Opposition to Motion, <u>511</u> Response in Opposition to Motion, <u>637</u> Letter, <u>547</u> Letter, <u>617</u> Reply in Support, <u>505</u> Response in Opposition to Motion, <u>595</u> Letter, <u>628</u> Notice of Appearance, <u>567</u> Letter, <u>501</u> Response in Opposition to Motion, <u>335</u> Stipulation and Order, <u>516</u> Response in Opposition to Motion, <u>646</u> Letter, <u>604</u> Notice of Appearance, <u>644</u> Letter, <u>554</u> Response in Opposition to Motion, <u>594</u> Order, <u>592</u> Order on Motion for Partial Summary Judgment, Order on Motion to Enforce Judgment,,, <u>631</u> Notice(Other), Notice(Other), <u>500</u> Response in Opposition to Motion, <u>641</u> Order on Motion to Consolidate Cases, <u>449</u> Motion to Amend/Correct/Supplement, <u>467</u> Notice (Other), <u>616</u> Letter, <u>586</u> Letter, <u>492</u> Response in Opposition to Motion, <u>462</u> Order, <u>525</u> Response in Opposition to Motion, <u>635</u> Letter, <u>560</u> Letter, <u>532</u> Response in Opposition to Motion, <u>486</u> Response in Opposition to Motion, <u>585</u> Order, <u>522</u> Response in Opposition to Motion, <u>643</u> Letter, <u>665</u> Clerk's Judgment,, <u>645</u> Letter, <u>608</u> Notice(Other), Notice(Other), <u>603</u> Order, Add and Terminate Attorneys, <u>596</u> Letter, <u>543</u> Response to Motion, <u>493</u> Response in Opposition to Motion, <u>579</u> Notice of Appearance, <u>647</u> Letter, <u>497</u> Response in Opposition to Motion, <u>528</u> Motion for Partial Summary Judgment, <u>668</u> Motion to Amend/Correct/Supplement, <u>556</u> Affidavit in Support of Motion, <u>472</u> Order, (McGee, Mary Ann) (Entered: 10/21/2008)</p>
10/22/2008	<u>671</u>	<p>NOTICE OF CROSS APPEAL New York City Board of Education, Department of Citywide Administrative Services, New York City Department of Education, New York City Board of Education, City of New York, New York City Department of Citywide Administrative Services, William J. Diamond. Filing fee \$ 455. as to (120 in 1:02-cv-00256-FB-RML, 16 in 1:06-cv-02921-FB-RML) Clerk's Judgment,, (103 in 1:02-cv-00256-FB-RML) Memorandum &amp;Opinion,, (114 in</p>

	<p>1:02-cv-00256-FB-RML) Order, (109 in 1:02-cv-00256-FB-RML) Memorandum &amp; Opinion,, (119 in 1:02-cv-00256-FB-RML) Order on Motion for Reconsideration,, (115 in 1:02-cv-00256-FB-RML) Memorandum &amp; Opinion. PLEASE NOTE: THIS NOA WILL ALSO BE SENT TO THE USCA IN HARD COPY because it is voluminous. NOA served ECF. Fee Paid Receipt # 358861. (Gonzalez, Mary) (Entered: 10/22/2008)</p>
10/22/2008	<p>Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (601 in 1:96-cv-00374-FB) Memorandum in Support, (540 in 1:96-cv-00374-FB) Affidavit, (654 in 1:96-cv-00374-FB) Letter, (451 in 1:96-cv-00374-FB) Notice (Other), (102 in 1:02-cv-00256-FB-RML) Order on Motion for Leave to Appear, (483 in 1:96-cv-00374-FB) Reply to Response to Motion,, (120 in 1:02-cv-00256-FB-RML, 665 in 1:96-cv-00374-FB) Clerk's Judgment,, (566 in 1:96-cv-00374-FB) Memorandum &amp; Opinion, (494 in 1:96-cv-00374-FB) Response in Opposition to Motion, (565 in 1:96-cv-00374-FB) Notice (Other), Notice (Other), (534 in 1:96-cv-00374-FB) Reply to Response to Motion,, (634 in 1:96-cv-00374-FB) Notice(Other), (558 in 1:96-cv-00374-FB) Letter, (450 in 1:96-cv-00374-FB) Motion to Compel, (498 in 1:96-cv-00374-FB) Response in Opposition to Motion, (513 in 1:96-cv-00374-FB) Response in Opposition to Motion, (533 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment,, (562 in 1:96-cv-00374-FB) Letter, (499 in 1:96-cv-00374-FB) Response in Opposition to Motion, (583 in 1:96-cv-00374-FB) Order on Motion for Leave to Appear, (551 in 1:96-cv-00374-FB) Reply to Response to Motion,, (661 in 1:96-cv-00374-FB, 116 in 1:02-cv-00256-FB-RML) Response to Motion, (466 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment,,,, (113 in 1:02-cv-00256-FB-RML) NOTICE of Change of Address/Firm/Email, (524 in 1:96-cv-00374-FB) Response in Opposition to Motion, (123 in 1:02-cv-00256-FB-RML) Notice of Appeal, (606 in 1:96-cv-00374-FB) Order, (484 in 1:96-cv-00374-FB) Response in Opposition to Motion, (577 in 1:96-cv-00374-FB) Order on Motion to Amend/Correct/Supplement, (441 in 1:96-cv-00374-FB) Order on Motion to Intervene, (587 in 1:96-cv-00374-FB) Letter, (545 in 1:96-cv-00374-FB) Affidavit in Support, (103 in 1:02-cv-00256-FB-RML) Memorandum &amp; Opinion,, (597 in 1:96-cv-00374-FB) Notice(Other), (588 in 1:96-cv-00374-FB) Letter, (598 in 1:96-cv-00374-FB) Motion for Reconsideration, (612 in 1:96-cv-00374-FB) Letter, (375 in 1:96-cv-00374-FB) Order, (613 in 1:96-cv-00374-FB) Letter, (485 in 1:96-cv-00374-FB) Response in Opposition to Motion, (670 in 1:96-cv-00374-FB) Notice of Appeal, (632 in 1:96-cv-00374-FB) Notice(Other), (610 in 1:96-cv-00374-FB) Notice(Other), Notice(Other), (104 in 1:02-cv-00256-FB-RML) Order, (512 in 1:96-cv-00374-FB) Response in Opposition to Motion, (89 in 1:02-cv-00256-FB-RML) Notice (Other), (639 in 1:96-cv-00374-FB) Letter, (447 in 1:96-cv-00374-FB) Letter, (572 in 1:96-cv-00374-FB) Letter, (514 in 1:96-cv-00374-FB) Response in Opposition to Motion, (649 in 1:96-cv-00374-FB) Letter, (550 in 1:96-cv-00374-FB) Response in Opposition to Motion, (440 in 1:96-cv-00374-FB) Pre Motion Conference, (109 in 1:02-cv-00256-FB-RML) Memorandum &amp; Opinion,, (381 in 1:96-cv-00374-FB) Notice (Other), Notice (Other), Notice (Other), Notice (Other), (656 in 1:96-cv-00374-FB) Certificate of Service, (557 in 1:96-cv-00374-FB) Response in Opposition to Motion, (115 in 1:02-cv-00256-FB-RML, 659 in 1:96-cv-00374-FB) Memorandum &amp; Opinion, (65 in 1:02-cv-00256-FB-RML) Memorandum &amp; Opinion, (90 in 1:02-cv-00256-FB-RML) Pre Motion Conference, (478 in 1:96-cv-00374-FB) Letter, (442 in 1:96-cv-00374-FB) Stipulation, (105 in 1:02-cv-00256-FB-RML) Letter, (555 in 1:96-cv-00374-FB) Response in Support of Motion, (638 in 1:96-cv-00374-FB) Status Conference, (2 in 1:02-cv-00256-FB-RML) Affidavit of Service, (563 in 1:96-cv-00374-FB) Letter, (506 in 1:96-cv-00374-FB) Response in Opposition to Motion, (561 in 1:96-cv-00374-FB) Letter, (651 in 1:96-cv-00374-FB) Letter, (455 in 1:96-cv-00374-FB) Motion for Limited Admission, (552 in 1:96-cv-00374-FB) Reply to Response to Motion,, (544 in 1:96-cv-00374-FB) Motion to Strike, (487 in 1:96-cv-00374-FB) Response in Opposition to Motion, (107 in 1:02-cv-00256-FB-RML) Status Conference, (559 in 1:96-cv-00374-FB) Response in Opposition to Motion, (620 in 1:96-cv-00374-FB) Motion to Strike,</p>

(568 in 1:96-cv-00374-FB) Letter, (117 in 1:02-cv-00256-FB-RML, 662 in 1:96-cv-00374-FB) Reply to Response to Motion, (470 in 1:96-cv-00374-FB) Motion to Enforce Judgment, (496 in 1:96-cv-00374-FB) Response in Opposition to Motion, (503 in 1:96-cv-00374-FB) Response in Opposition to Motion, (650 in 1:96-cv-00374-FB) Letter, (542 in 1:96-cv-00374-FB) Response to Motion, (72 in 1:02-cv-00256-FB-RML) Notice of Voluntary Dismissal, (508 in 1:96-cv-00374-FB) Response in Opposition to Motion, (518 in 1:96-cv-00374-FB) Response in Opposition to Motion, (653 in 1:96-cv-00374-FB, 111 in 1:02-cv-00256-FB-RML) Letter, (509 in 1:96-cv-00374-FB) Response in Opposition to Motion, (489 in 1:96-cv-00374-FB) Response in Opposition to Motion, (571 in 1:96-cv-00374-FB) Letter, (537 in 1:96-cv-00374-FB) Affidavit,,,,, (510 in 1:96-cv-00374-FB) Response in Opposition to Motion, (473 in 1:96-cv-00374-FB) Letter, (666 in 1:96-cv-00374-FB, 121 in 1:02-cv-00256-FB-RML) NOTICE of Change of Address/Firm/Email, (101 in 1:02-cv-00256-FB-RML) Order, (623 in 1:96-cv-00374-FB) Letter, (637 in 1:96-cv-00374-FB) Letter, (547 in 1:96-cv-00374-FB) Letter, (617 in 1:96-cv-00374-FB) Reply in Support, (501 in 1:96-cv-00374-FB) Response in Opposition to Motion, (335 in 1:96-cv-00374-FB) Stipulation and Order, (646 in 1:96-cv-00374-FB) Letter, (124 in 1:02-cv-00256-FB-RML, 671 in 1:96-cv-00374-FB) Notice of Cross Appeal,,, (644 in 1:96-cv-00374-FB) Letter, (631 in 1:96-cv-00374-FB) Notice(Other), Notice(Other), (500 in 1:96-cv-00374-FB) Response in Opposition to Motion, (449 in 1:96-cv-00374-FB) Motion to Amend/Correct/Supplement, (467 in 1:96-cv-00374-FB) Notice (Other), (616 in 1:96-cv-00374-FB) Letter, (492 in 1:96-cv-00374-FB) Response in Opposition to Motion, (525 in 1:96-cv-00374-FB) Response in Opposition to Motion, (635 in 1:96-cv-00374-FB) Letter, (560 in 1:96-cv-00374-FB) Letter, (522 in 1:96-cv-00374-FB) Response in Opposition to Motion, (112 in 1:02-cv-00256-FB-RML, 655 in 1:96-cv-00374-FB) Memorandum &Opinion,, (608 in 1:96-cv-00374-FB) Notice(Other), Notice(Other), (603 in 1:96-cv-00374-FB, 603 in 1:96-cv-00374-FB) Order, Add and Terminate Attorneys, (493 in 1:96-cv-00374-FB) Response in Opposition to Motion, (497 in 1:96-cv-00374-FB) Response in Opposition to Motion, (528 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment, (660 in 1:96-cv-00374-FB) Motion for Reconsideration, (611 in 1:96-cv-00374-FB) Letter, (625 in 1:96-cv-00374-FB) Notice(Other), Notice(Other), Notice(Other), (570 in 1:96-cv-00374-FB) Letter, (507 in 1:96-cv-00374-FB) Response in Opposition to Motion, (548 in 1:96-cv-00374-FB) Motion to Strike, (578 in 1:96-cv-00374-FB) Motion for Leave to Appear Pro Hac Vice, (609 in 1:96-cv-00374-FB) Status Conference, (464 in 1:96-cv-00374-FB) Letter, (539 in 1:96-cv-00374-FB) Response to Motion,, (633 in 1:96-cv-00374-FB) Letter, (663 in 1:96-cv-00374-FB, 118 in 1:02-cv-00256-FB-RML) Scheduling Order,, (392 in 1:96-cv-00374-FB) Scheduling Order, (469 in 1:96-cv-00374-FB) Letter, (591 in 1:96-cv-00374-FB) Letter, (636 in 1:96-cv-00374-FB) NOTICE of Change of Address/Firm/Email, (515 in 1:96-cv-00374-FB) Response in Opposition to Motion, (461 in 1:96-cv-00374-FB) Order, (642 in 1:96-cv-00374-FB) Order, (629 in 1:96-cv-00374-FB) Notice(Other), (108 in 1:02-cv-00256-FB-RML) Docket Call, (502 in 1:96-cv-00374-FB) Response in Opposition to Motion, (627 in 1:96-cv-00374-FB) Notice(Other), (491 in 1:96-cv-00374-FB) Response in Opposition to Motion, (615 in 1:96-cv-00374-FB) Letter, (529 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment, (580 in 1:96-cv-00374-FB) Status Conference, (114 in 1:02-cv-00256-FB-RML, 658 in 1:96-cv-00374-FB) Order, (471 in 1:96-cv-00374-FB) Motion to Enforce Judgment, (589 in 1:96-cv-00374-FB) Letter, (490 in 1:96-cv-00374-FB) Response in Opposition to Motion, (536 in 1:96-cv-00374-FB) Affidavit, (582 in 1:96-cv-00374-FB) Letter, (523 in 1:96-cv-00374-FB) Response in Opposition to Motion, (531 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment, (530 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment, (593 in 1:96-cv-00374-FB) Letter, (626 in 1:96-cv-00374-FB) Notice(Other), (667 in 1:96-cv-00374-FB) Letter, (92 in 1:02-cv-00256-FB-RML) Notice of Appearance, (477 in 1:96-cv-00374-FB) Memorandum &Opinion, (621 in 1:96-cv-00374-FB) Letter, (664 in 1:96-cv-00374-FB, 119 in

		<p>1:02-cv-00256-FB-RML) Order on Motion for Reconsideration,, (599 in 1:96-cv-00374-FB) Response in Opposition to Motion, (122 in 1:02-cv-00256-FB-RML, 669 in 1:96-cv-00374-FB) Notice of Appeal, (619 in 1:96-cv-00374-FB) Notice(Other), (495 in 1:96-cv-00374-FB) Response in Opposition to Motion, (652 in 1:96-cv-00374-FB, 110 in 1:02-cv-00256-FB-RML) Letter, (607 in 1:96-cv-00374-FB) Memorandum in Support, (624 in 1:96-cv-00374-FB) Notice(Other), (504 in 1:96-cv-00374-FB) Response in Opposition to Motion, (614 in 1:96-cv-00374-FB) Docket Call, (630 in 1:96-cv-00374-FB) Notice of Appearance, (526 in 1:96-cv-00374-FB) Response in Opposition to Motion, (622 in 1:96-cv-00374-FB, 622 in 1:96-cv-00374-FB) Order on Motion for Reconsideration, Order on Motion to Strike,,,,,, (538 in 1:96-cv-00374-FB) Notice (Other), Notice (Other), (517 in 1:96-cv-00374-FB) Response in Opposition to Motion, (564 in 1:96-cv-00374-FB) Letter, (605 in 1:96-cv-00374-FB) Letter, (338 in 1:96-cv-00374-FB) Memorandum &amp;Opinion, (106 in 1:02-cv-00256-FB-RML, 106 in 1:02-cv-00256-FB-RML) Order, Add and Terminate Attorneys, (584 in 1:96-cv-00374-FB) Amended Complaint, (618 in 1:96-cv-00374-FB) Motion to Consolidate Cases, (553 in 1:96-cv-00374-FB) Reply to Response to Motion, (535 in 1:96-cv-00374-FB) Reply to Response to Motion,, (83 in 1:02-cv-00256-FB-RML) Order, (602 in 1:96-cv-00374-FB) Motion for Reconsideration,, (488 in 1:96-cv-00374-FB) Response in Opposition to Motion, (590 in 1:96-cv-00374-FB) Letter, (100 in 1:02-cv-00256-FB-RML) Motion for Leave to Appear Pro Hac Vice, (648 in 1:96-cv-00374-FB) Letter, (407 in 1:96-cv-00374-FB) Notice (Other), (640 in 1:96-cv-00374-FB) Evidentiary Hearing, (527 in 1:96-cv-00374-FB) Motion for Partial Summary Judgment, (600 in 1:96-cv-00374-FB) Motion for Reconsideration, (549 in 1:96-cv-00374-FB) Response in Opposition to Motion, (511 in 1:96-cv-00374-FB) Response in Opposition to Motion, (505 in 1:96-cv-00374-FB) Response in Opposition to Motion, (628 in 1:96-cv-00374-FB) Notice of Appearance, (567 in 1:96-cv-00374-FB) Letter, (516 in 1:96-cv-00374-FB) Response in Opposition to Motion, (604 in 1:96-cv-00374-FB) Notice of Appearance, (70 in 1:02-cv-00256-FB-RML) Order, (554 in 1:96-cv-00374-FB) Response in Opposition to Motion, (594 in 1:96-cv-00374-FB) Order, (592 in 1:96-cv-00374-FB, 592 in 1:96-cv-00374-FB) Order on Motion for Partial Summary Judgment, Order on Motion to Enforce Judgment,,, (641 in 1:96-cv-00374-FB) Order on Motion to Consolidate Cases, (586 in 1:96-cv-00374-FB) Letter, (462 in 1:96-cv-00374-FB) Order, (1 in 1:02-cv-00256-FB-RML) Complaint,, (532 in 1:96-cv-00374-FB) Response in Opposition to Motion, (486 in 1:96-cv-00374-FB) Response in Opposition to Motion, (585 in 1:96-cv-00374-FB) Order, (643 in 1:96-cv-00374-FB) Letter, (645 in 1:96-cv-00374-FB) Letter, (543 in 1:96-cv-00374-FB) Response to Motion, (596 in 1:96-cv-00374-FB) Letter, (95 in 1:02-cv-00256-FB-RML) Letter, (579 in 1:96-cv-00374-FB) Notice of Appearance, (647 in 1:96-cv-00374-FB) Letter, (91 in 1:02-cv-00256-FB-RML) Order, (668 in 1:96-cv-00374-FB) Motion to Amend/Correct/Supplement, (556 in 1:96-cv-00374-FB) Affidavit in Support of Motion, (472 in 1:96-cv-00374-FB) Order, (Gonzalez, Mary) (Entered: 10/22/2008)</p>
10/22/2008		<p>Second Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <u>669</u> Notice of Appeal Please Note: This ROA contains only one document # 669&amp;it is being forwarded to Lynn Dobbs. (Gonzalez, Mary) (Entered: 10/22/2008)</p>
10/23/2008	<u>672</u>	<p>Letter to all counsel re motion for an injunction pending appeal by Ruben Miranda, John Brennan, James G. Ahearn, Scott Spring, John Mitchell, Eric Schauer Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Rosman, Michael) (Entered: 10/23/2008)</p>
11/03/2008	<u>673</u>	<p>NOTICE OF CROSS APPEAL as to (665 in 1:96-cv-00374-FB) Clerk's Judgment,, by Janet A. Caldero, Irene Wolkiewicz, Frank Valdez, Kim Tatum, Carl D. Smith, Harry Santana, Maureen Quinn, Sandra D. Morton, Marianne Manousakis, Adele A. McGreal, Kathleen Luebker, Mary Kachadourian, Marcia P. Jarrett, Dawn L. Ellis, Charmaine Didonato, Laura Daniele, Kristen D'Alessio, Andrew Clement, Martha Chellemi, Celia I. Calderon, Janet A. Caldero. Filing fee</p>

		\$ 455, receipt number 0207000000003220382. (Martin, Emily) (Entered: 11/03/2008)
11/03/2008	<u>674</u>	Subsequent NOTICE OF CROSS APPEAL as to (16 in 1:06-cv-02921-FB-RML) [665 in 1:96-cv-374] Clerk's Judgment, as to [120 in 02-256-FB-RML) Clerk's Judgment., by Irene Wolkiewicz, Frank Valdez, Kim Tatum, Carl D. Smith, Harry Santana, Maureen Quinn, Sandra D. Morton, Marianne Manousakis, Adele A. McGreal, Kathleen Luebker, Mary Kachadourian, Marcia P. Jarrett, Dawn L. Ellis, Charmaine Didonato, Laura Daniele, Kristen D'Alessio, Andrew Clement, Martha Chellemi, Celia I. Calderon, Janet A. Caldero. Filing fee \$ 455. See document #673 for receipt #. Service done via ECF. (McGee, Mary Ann) (Entered: 11/04/2008)
11/04/2008		Third Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. <u>673</u> Notice of Cross Appeal., <u>674</u> Subsequent Notice of Appeal. ATTN: L. Dobbs (McGee, Mary Ann) (Entered: 11/04/2008)
11/21/2008	<u>675</u>	Joint MOTION to Stay <i>Judgment in Part</i> by Janet A. Caldero. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>676</u>	MOTION to Stay re (675 in 1:96-cv-00374-FB) Joint MOTION to Stay <i>Judgment in Part Memorandum of Law in Support</i> by Janet A. Caldero. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>677</u>	MEMORANDUM in Opposition re (675 in 1:96-cv-00374-FB) Joint MOTION to Stay <i>Judgment in Part</i> filed by John Brennan. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>678</u>	AFFIDAVIT/DECLARATION in Opposition re (23 in 1:06-cv-02921-FB-RML, 128 in 1:02-cv-00256-FB-RML, 675 in 1:96-cv-00374-FB) MOTION to Stay filed by John Brennan. (Attachments: # <u>1</u> Exhibit) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>679</u>	AFFIDAVIT/DECLARATION in Opposition re (23 in 1:06-cv-02921-FB-RML, 128 in 1:02-cv-00256-FB-RML, 675 in 1:96-cv-00374-FB) MOTION to Stay filed by John Brennan. (Attachments: # <u>1</u> Exhibit 6-12) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>680</u>	REPLY in Support re (675 in 1:96-cv-00374-FB) Joint MOTION to Stay <i>Judgment in Part</i> filed by Janet A. Caldero. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/21/2008	<u>681</u>	AFFIDAVIT/DECLARATION in Support re (23 in 1:06-cv-02921-FB-RML, 128 in 1:02-cv-00256-FB-RML, 675 in 1:96-cv-00374-FB) MOTION to Stay <i>Reply Declaration of Emily Martin</i> filed by Janet A. Caldero. (Attachments: # <u>1</u> Exhibit A) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Chernofsky, Melissa) (Entered: 11/21/2008)
11/26/2008	<u>682</u>	MOTION for Preliminary Injunction <i>Pending Appeal</i> by Ruben Miranda, Scott Spring, John Mitchell, Eric Schauer, John Brennan, James Ahearn. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit Spring Statement, # <u>3</u> Affidavit Ahearn Statement, # <u>4</u> Affidavit Miranda Statement, # <u>5</u> Affidavit Mitchell Statement, # <u>6</u> Affidavit Schauer Statement, # <u>7</u> Affidavit Brennan Statement, # <u>8</u> Exhibit Exhibits to Brennan Statement, # <u>9</u> Affidavit Rosman Statement, # <u>10</u> Exhibit Exhibits to Rosman Statement, # <u>11</u> Memorandum in Opposition City Defendants Opposition Memo, # <u>12</u> Affidavit in Opposition Profeta Declaration + Exhibits, # <u>13</u> Memorandum in Opposition Caldero Intervenors Opposition Memo, # <u>14</u> Memorandum in Support Reply Memorandum) Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML



		(Rosman, Michael) (Entered: 11/26/2008)
12/12/2008	<u>683</u>	Cross MOTION to Stay re <u>682</u> MOTION for Preliminary Injunction <i>Pending Appeal</i> , <u>665</u> Clerk's Judgment,, by New York City Board of Education, Department of Citywide Administrative Services. (Profeta, Lawrence) (Entered: 12/12/2008)
12/12/2008	<u>684</u>	Cross MOTION to Stay re <u>682</u> MOTION for Preliminary Injunction <i>Pending Appeal Memorandum of law in support of cross-motion</i> by New York City Board of Education, Department of Citywide Administrative Services. (Profeta, Lawrence) (Entered: 12/12/2008)
12/12/2008	<u>685</u>	MEMORANDUM in Opposition re <u>683</u> Cross MOTION to Stay re <u>682</u> MOTION for Preliminary Injunction <i>Pending Appeal</i> , <u>665</u> Clerk's Judgment,, filed by Dennis Mortensen, Scott Spring, John Brennan, James G. Ahearn. (Profeta, Lawrence) (Entered: 12/12/2008)
01/22/2009	<u>686</u>	MOTION to Withdraw as Attorney by United States of America. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML (Alexis, Michael) (Entered: 01/22/2009)
01/28/2009	<u>687</u>	NOTICE of Change of email address by Michael Evan Rosman Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Rosman, Michael) (Entered: 01/28/2009)
04/09/2009		ELECTRONIC ORDER: Granting Michael Alexis's <u>686</u> Motion to Withdraw. There will be no formal order mailed to counsel. Ordered by Senior Judge Frederic Block on 4/9/2009. (Innelli, Michael) (Entered: 04/09/2009)
05/14/2009	<u>688</u>	MANDATE of USCA as to <u>671</u> Notice of Cross Appeal,, filed by William J. Diamond, Department of Citywide Administrative Services, New York City Department of Education, New York City Board of Education, New York City Department of Citywide Administrative Services, City of New York. It is Ordered that the motion by NYC Dept of Education et al to withdraw their cross-appeal is granted. Issued as Mandate: 5/5/09. (McGee, Mary Ann) (Entered: 05/19/2009)
05/22/2009		ELECTRONIC ORDER: The Brennan Intervenors' motion <u>668</u> to supplement the record with a document filed with the court, but inadvertently omitted from the docket, is GRANTED. The Clerk shall transmit the document, which is attached as a 20-page exhibit to the motion to supplement the record, to the circuit court. There will be no formal order mailed to counsel. Ordered by Senior Judge Frederic Block on 5/22/2009. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Innelli, Michael) (Entered: 05/22/2009)
05/22/2009		Fourth Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (668 in 1:96-cv-00374-FB) Motion to Amend/Correct/Supplement (McGee, Mary Ann) (Entered: 05/22/2009)
06/08/2009	<u>689</u>	MEMORANDUM AND ORDER. Ordered by Senior Judge Frederic Block on 6/2/2009. Associated Cases: 1:96-cv-00374-FB, 1:02-cv-00256-FB-RML, 1:06-cv-02921-FB-RML (Lagana, Michael) (Entered: 06/08/2009)