

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:08-cv-00706-RJA-MJR

Equal Employment Opportunity Commission v. Sterling
Jewelers, Inc.

Assigned to: Hon. Richard J. Arcara

Referred to: Hon. Michael J. Roemer

Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/23/2008

Date Terminated: 05/04/2017

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Amos Ben Blackman**

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Date Filed	#	Docket Text
09/23/2008	<u>1</u>	COMPLAINT against Sterling Jewelers, Inc., filed by Equal Employment Opportunity Commission; jury demand.(DZ) (Entered: 09/24/2008)
09/23/2008		Remark – summonses not issued at this time. (DZ) (Entered: 09/24/2008)
09/23/2008		AUTOMATIC REFERRAL to Mediation (DZ) (Entered: 09/24/2008)
10/14/2008	<u>2</u>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Sterling Jewelers, Inc. waiver sent on 9/26/2008, answer due 11/26/2008. (Malloy, Margaret) (Entered: 10/14/2008)
11/25/2008	<u>3</u>	Corporate Disclosure Statement by Sterling Jewelers, Inc. identifying Corporate Parent Signet Group plc for Sterling Jewelers, Inc... (Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>4</u>	NOTICE of Appearance by Richard Ira Scharlat on behalf of Sterling Jewelers, Inc. (Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>5</u>	NOTICE of Appearance by Richard Ira Scharlat on behalf of Sterling Jewelers, Inc. (Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice of <i>William F. Dugan</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of William Dugan, # <u>2</u> Declaration of Richard I. Scharlat)(Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Britt J. Rossiter</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Britt J. Rossiter, # <u>2</u> Declaration of Stephen Zashin)(Scharlat, Richard) (Entered: 11/25/2008)

11/25/2008	<u>8</u>	ANSWER to <u>1</u> Complaint with Affirmative Defenses by Sterling Jewelers, Inc..(Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>9</u>	MOTION to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Richard I. Scharlat in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>10</u>	MEMORANDUM in Support re <u>9</u> MOTION to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 filed by Sterling Jewelers, Inc.. (Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>11</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>10</u> Memorandum in Support of Motion (Compendium of UnReported Cases Cited in Defendant Sterling Jewelers Inc.'s Memorandum of Law in Support of Its Motion to Dismiss with Tab A through L) filed by Sterling Jewelers, Inc.. (Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008	<u>12</u>	Corporate Disclosure Statement by Sterling Jewelers, Inc. identifying Corporate Parent Signet Group, plc for Sterling Jewelers, Inc... (Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>13</u>	NOTICE of Appearance by Gerald L. Maatman, Jr on behalf of Sterling Jewelers, Inc. (Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>14</u>	ANSWER to <u>1</u> Complaint with Affirmative Defenses by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>15</u>	MOTION to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Richard I. Scharlat, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>17</u>	CONTINUATION OF EXHIBITS to <u>16</u> Memorandum in Support of Motion. (Maatman, Gerald) (Entered: 11/25/2008)
11/25/2008	<u>18</u>	MOTION An Order permitting Defendant to proceed in this action without retaining local counsel by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Richard I. Scharlat)(Scharlat, Richard) (Entered: 11/25/2008)
11/25/2008		E-Filing Notification: <u>16</u> Memorandum in Support of Motion and <u>17</u> CONTINUATION OF EXHIBITS to (Maatman, Gerald), **Certificate of service required** (DZ) (Entered: 11/26/2008)
11/26/2008	<u>19</u>	ADR Notice and Plan forwarded to attorneys.(DZ) (Entered: 11/26/2008)
11/26/2008	<u>20</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>16</u> Memorandum in Support of Motion to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 (Scharlat, Richard) (Entered: 11/26/2008)
11/26/2008	<u>21</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>17</u> Continuation of Exhibits : Compendium of Unreported Cases Cited in Defendant's Memorandum of Law in Support of its Motion to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 with Tabs A to L (Scharlat, Richard) (Entered: 11/26/2008)
11/26/2008	<u>22</u>	ORDER REFERRING CASE to Magistrate Judge Hon. Jeremiah J. McCarthy. Signed by Hon. Richard J. Arcara on 11/26/2008. (JMB) (Entered: 11/26/2008)
11/28/2008	23	TEXT ORDER: Plaintiff's response to defendant's motion to dismiss <u>15</u> shall be served and filed on or before December 31, 2008; a reply, if any shall be served and filed on or before January 14, 2009, after which time the motion will be taken under advisement without oral argument unless requested by the parties or deemed necessary by the court. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 11-28-09. (DAZ) (Entered: 11/28/2008)

11/28/2008	<u>24</u>	ORDER granting <u>6</u> Motion for Leave to Appear pro hac vice (William F. Dugan, Esq.). Signed by Hon. Jeremiah J. McCarthy on 11-28-08. (DAZ) (Entered: 11/28/2008)
11/28/2008	<u>25</u>	ORDER granting <u>7</u> Motion for Leave to Appear pro hac vice (Britt J. Rossiter, Esq.). Signed by Hon. Jeremiah J. McCarthy on 11-28-08. (DAZ) (Entered: 11/28/2008)
12/01/2008	26	TEXT ORDER: Defendant's motion for leave to proceed without local counsel <u>18</u> is DENIED, without prejudice. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 12/1/08. (The Court has mailed copies of this Order to William F. Dugan, David Bennet Ross, Britt J. Rossiter). (Entered: 12/01/2008)
12/04/2008		Pro Hac Vice Filing fee: \$ 75, receipt number 10440 received from William F. Dugan, Esq. (JDK) (Entered: 12/04/2008)
12/08/2008	<u>27</u>	NOTICE of Appearance by Stephen S. Zashin on behalf of Sterling Jewelers, Inc. (Zashin, Stephen) (Entered: 12/08/2008)
12/19/2008	<u>28</u>	NOTICE of Appearance by Marcia Henry on behalf of Sterling Jewelers, Inc. (Henry, Marcia) (Entered: 12/19/2008)
12/19/2008	<u>29</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Francis Patrick Kinson</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Francis Patrick Kinson, # <u>2</u> Declaration of Richard I. Scharlat)(Scharlat, Richard) (Entered: 12/19/2008)
12/22/2008		Remark – confirmed admission of Francis Patrick Kinson to the Illinois State Bar. (DZ) (Entered: 12/22/2008)
12/23/2008	<u>30</u>	ORDER granting <u>29</u> Motion for Leave to Appear Pro Hac Vice. Signed by Hon. Jeremiah J. McCarthy on 12/23/08. (DAZ) (The Court has mailed a copy of this Order to Britt J. Rossiter, David Bennet Ross and Francis Patrick Kinson). (Entered: 12/24/2008)
12/29/2008		Pro Hac Vice Filing fee paid for Britt J. Rossiter: \$ 75.00, receipt number 10721 (DZ) (Entered: 01/05/2009)
12/31/2008	<u>31</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 12/31/2008)
12/31/2008	<u>32</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>31</u> Memorandum in Opposition to Motion (Malloy, Margaret) (Entered: 12/31/2008)
01/06/2009		Pro Hac Vice Filing fee paid for Francis Kinson: \$ 75.00, receipt number 10795 (DZ) (Entered: 01/07/2009)
01/14/2009	<u>33</u>	NOTICE of Appearance by John M. Monahan on behalf of Sterling Jewelers, Inc. (Monahan, John) (Entered: 01/14/2009)
01/14/2009	<u>34</u>	MEMORANDUM in Support re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Maatman, Gerald) (Entered: 01/14/2009)
01/15/2009	<u>35</u>	CONTINUATION OF EXHIBITS to <u>34</u> Memorandum in Support of Motion (<i>Compendium of Unreported Cases to Defendant's Reply Memorandum in Support of its Motion to Dismiss Any Aspects of The Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i>). (Maatman, Gerald) (Entered: 01/15/2009)
01/15/2009	<u>36</u>	NOTICE of Appearance by Elizabeth Grossman on behalf of Equal Employment Opportunity Commission (Attachments: # <u>1</u> Notice of Appearance)(Grossman, Elizabeth) (Entered: 01/15/2009)
02/02/2009	<u>37</u>	MOTION for Leave to File <i>Document Addressing Lilly Ledbetter Fair Pay Act</i> by Equal Employment Opportunity Commission.(Malloy, Margaret) (Entered: 02/02/2009)
02/03/2009	38	TEXT ORDER : Plaintiff's motion for leave to file a document addressing the Lilly Ledbetter Fair Pay Act <u>37</u> is GRANTED. Plaintiff may file and serve this document on

		or before February 13, 2009, and defendant may file and serve a response on or before February 23, 2009. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 2/3/09. (DAZ) (Entered: 02/03/2009)
02/03/2009		Set/Reset Deadlines: To be filed by 2/13/2009 and response due by 2/23/2009. (DAZ) (Entered: 02/03/2009)
02/13/2009	<u>39</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 Supplemental Brief</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/13/2009)
02/18/2009	<u>40</u>	MOTION for Leave to File Excess Pages to <i>Responsive Brief</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 02/18/2009)
02/19/2009	<u>41</u>	NOTICE by Sterling Jewelers, Inc. to the Court of Constitutional Challenge Pursuant to Rule 24 of the Local Rules for the Western District of New York (Maatman, Gerald) (Entered: 02/19/2009)
02/20/2009	<u>42</u>	ORDER granting <u>40</u> Motion for Leave to File Excess Pages. Signed by Hon. Jeremiah J. McCarthy on 2/19/09. (DAZ) (Entered: 02/20/2009)
02/23/2009	<u>43</u>	REPLY/RESPONSE to re <u>39</u> Memorandum in Opposition to Motion, <i>Defendant's Memorandum of Law in Response to the EEOC's Supplemental Briefing</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 02/23/2009)
02/25/2009	<u>44</u>	MOTION for Leave to File <i>Response</i> by Equal Employment Opportunity Commission.(Malloy, Margaret) (Entered: 02/25/2009)
02/27/2009	<u>45</u>	ORDER granting <u>44</u> Motion for Leave to File. Signed by Hon. Jeremiah J. McCarthy on 2/27/09. (DAZ) (Entered: 02/27/2009)
03/06/2009	<u>46</u>	REPLY/RESPONSE to re <u>43</u> Reply/Response filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 03/06/2009)
03/11/2009	<u>47</u>	MOTION for Leave to File Excess Pages of <i>its sur-reply brief to EEOC's reply brief</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 03/11/2009)
03/12/2009	<u>48</u>	ORDER granting <u>47</u> Motion for Leave to File Excess Pages. Signed by Hon. Jeremiah J. McCarthy on 3/12/09. (DAZ) (Entered: 03/12/2009)
03/16/2009	<u>49</u>	MEMORANDUM/BRIEF re <u>46</u> Reply/Response : <i>Defendant's Reply Memorandum in Response to the EEOC's Supplemental Briefing</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Maatman, Gerald) (Entered: 03/16/2009)
04/20/2009	50	TEXT ORDER : Oral argument of defendant's motion for partial dismissal <u>15</u> is set for June 19, 2009 at 2:00 p.m. before Hon. Jeremiah J. McCarthy. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/20/09. (DAZ) (Entered: 04/20/2009)
04/20/2009	51	TEXT ORDER : At the parties' request, oral argument of defendant's motion for partial dismissal <u>15</u> is rescheduled to June 26, 2009 at 2:00 p.m. before Hon. Jeremiah J. McCarthy. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/20/09. (DAZ) (Entered: 04/20/2009)
06/26/2009	52	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument held on 6/26/2009. Parties argued their various positions, cited case law. Participants: Margaret Ann Malloy for Plaintiff and John M. Monahan and Gerald L. Maatman, Jr. for Defendant. (DAZ) (Entered: 06/26/2009)
06/26/2009	53	TEXT ORDER : As agreed during oral argument today, the parties' post-argument submissions (not to exceed 5 pages in length) shall be filed by July 17, 2009, whereupon the motion <u>15</u> will be deemed submitted. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/26/09. (DAZ) (Entered: 06/26/2009)
07/08/2009	<u>54</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/26/09, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Michelle L. McLaughlin, Telephone number (716) 332-3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the

		deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 7/29/2009. Redacted Transcript Deadline set for 8/10/2009. Release of Transcript Restriction set for 10/6/2009. (DZ) (Entered: 07/08/2009)
07/17/2009	<u>55</u>	REPLY/RESPONSE to re 53 Order, <u>15</u> Motion, Set Deadlines/Hearings, /Letter Response filed by Sterling Jewelers, Inc.. (Maatman, Gerald) Text Modified on 7/20/2009 (DZ). (Entered: 07/17/2009)
07/17/2009	<u>56</u>	RESPONSE in Opposition re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004 supplemental letter brief</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 07/17/2009)
07/17/2009		E-Filing Notification: <u>55</u> REPLY/RESPONSE Text modified to indicate also related to <u>15</u> Motion (DZ) (Entered: 07/20/2009)
07/20/2009		E-Filing Notification: <u>56</u> RESPONSE in Opposition (Malloy, Margaret), <u>55</u> REPLY/RESPONSE to re 53 Order, <u>15</u> Motion, (Maatman, Gerald) ***Proof of Service required pursuant to Chambers** (DZ) (Entered: 07/20/2009)
07/20/2009	<u>57</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>56</u> Response in Opposition to Motion, (Malloy, Margaret) (Entered: 07/20/2009)
07/20/2009	<u>58</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>55</u> Reply/Response <i>in further support of Defendants Motion to Dismiss Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i> (Maatman, Gerald) (Entered: 07/20/2009)
09/30/2009	<u>59</u>	REPORT AND RECOMMENDATION re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i> filed by Sterling Jewelers, Inc. Objections due ten days from receipt. Signed by Hon. Jeremiah J. McCarthy on 9/30/09. (DAZ) (Entered: 09/30/2009)
10/01/2009	<u>60</u>	AMENDED REPORT AND RECOMMENDATION re <u>15</u> MOTION to Dismiss <i>Any Aspects of the Complaint Seeking Relief for Alleged Discrimination Prior to July 22, 2004</i> filed by Sterling Jewelers, Inc. Objections due ten days from receipt. Signed by Hon. Jeremiah J. McCarthy on 10/1/09. (DAZ) (Entered: 10/01/2009)
10/14/2009	<u>61</u>	OBJECTION to <u>60</u> Report and Recommendations / <i>Objections Pursuant to Rule 72 to Magistrate Judge McCarthy's Amended Report and Recommendation</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 10/14/2009)
10/14/2009	<u>62</u>	CONTINUATION OF EXHIBITS to <u>61</u> Objection to Report and Recommendations / <i>Compendium of Unreported Cases Cited in Defendant's Objections Pursuant to Rule 72 to Magistrate Judge McCarthy's Amended Report and Recommendation (Part 1)</i> . (Maatman, Gerald) (Entered: 10/14/2009)
10/14/2009	<u>63</u>	CONTINUATION OF EXHIBITS / <i>Compendium of Unreported Cases Cited in Defendant's Objections Pursuant to Rule 72 to Magistrate Judge McCarthy's Amended Report and Recommendation (Part 2)</i> . (Maatman, Gerald) (Entered: 10/14/2009)
10/14/2009		E-Filing Notification: <u>63</u> CONTINUATION OF EXHIBITS **document to be refiled with cover page containing case caption and case number and the title of document is it related to; also, proof of service required on items #62 and #63** (Maatman, Gerald) (DZ) (Entered: 10/15/2009)
10/15/2009	<u>64</u>	CONTINUATION OF EXHIBITS to <u>61</u> Objection to Report and Recommendations, <u>62</u> Continuation of Exhibits, / <i>Re-File of Part 2 of Compendium</i> . (Attachments: # <u>1</u> Certificate of Service for Compendium of Unreported Cases Cited in Defendant Sterling Jewelers Inc.'s Objections Pursuant to Rule 72 to Magistrate Judge McCarthy's Amended Reported and Recommendation)(Maatman, Gerald) (Entered: 10/15/2009)
10/30/2009		NOTICE OF ORAL ARGUMENT AND BRIEFING SCHEDULE. Oral Argument as to <u>61</u> Objections filed by defendant to <u>60</u> AMENDED REPORT AND RECOMMENDATION of Magistrate Judge Jeremiah J. McCarthy is scheduled for 12/14/2009 at 03:00 PM before Hon. Richard J. Arcara. Response papers are to be

		filed by 11/16/2009. No reply papers will be accepted. (DJD) (Entered: 10/30/2009)
11/03/2009	<u>65</u>	REPLY/RESPONSE to re <u>61</u> Objection to Report and Recommendations filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 11/03/2009)
11/13/2009	<u>66</u>	NOTICE of Appearance by Ami T. Sanghvi on behalf of Equal Employment Opportunity Commission (Sanghvi, Ami) (Entered: 11/13/2009)
12/14/2009		Minute Entry for proceedings held 12/14/2009 before Hon. Richard J. Arcara. Oral Argument is held as to <u>61</u> Objections filed by defendant to <u>60</u> AMENDED REPORT AND RECOMMENDATION of Magistrate Judge Jeremiah J. McCarthy. Decision is reserved. Appearances: Pltf – Margaret Ann Malloy; Deft – Gerald Maatman and Scott Horton (Court Reporter Yvonne Garrison.) (DJD) (Entered: 01/05/2010)
01/06/2010	<u>67</u>	ORDER adopting AMENDED Report and Recommendation re <u>60</u> denying <u>15</u> Motion to Dismiss. Case is referred back to Magistrate Jude McCarthy for further proceedings. Signed by Hon. Richard J. Arcara on 1/6/2010. (JMB) (Entered: 01/06/2010)
01/06/2010	<u>68</u>	ORDER OF PRELIMINARY PRETRIAL CONFERENCE set for 2/5/2010 AT 02:00 PM before Hon. Jeremiah J. McCarthy. Signed by Hon. Jeremiah J. McCarthy on 1/6/10. (DAZ) (Entered: 01/07/2010)
01/19/2010	<u>69</u>	MOTION for Leave to Appeal <i>Certification of Issues for Interlocutory Appeal</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 01/19/2010)
01/19/2010	<u>70</u>	DECLARATION signed by Gerald L. Maatman, Jr. re <u>69</u> MOTION for Leave to Appeal <i>Certification of Issues for Interlocutory Appeal</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 01/19/2010)
01/19/2010	<u>71</u>	MEMORANDUM IN SUPPORT re <u>69</u> MOTION for Leave to Appeal <i>Certification of Issues for Interlocutory Appeal</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 01/19/2010)
01/19/2010	<u>72</u>	CONTINUATION OF EXHIBITS re <u>71</u> Memorandum In Support re <u>69</u> Motion for Leave to Appeal, "Compendium of Unreported Cases Cited"/I> by Sterling Jewelers, Inc.. (Maatman, Gerald) Modified title on 1/20/2010 (SG). (Entered: 01/19/2010)
01/20/2010		E–Filing Notification: Modified title on 1/20/2010 <u>72</u> CONTINUATION OF EXHIBITS re <u>71</u> Memorandum In Support re <u>69</u> Motion for Leave to Appeal, "Compendium of Unreported Cases Cited"/I> by Sterling Jewelers, Inc.. (Maatman, Gerald) (SG) (Entered: 01/20/2010)
01/20/2010	<u>73</u>	TEXT ORDER Plaintiff to file a response to defendant's motion for certificateon of issues and for interlocutory appeal by 2/5/2010. Defendant's reply due by 2/12/2010, after which time the matte will be deemed submitted. Signed by Hon. Richard J. Arcara on 1/20/2010. (JMB) (Entered: 01/20/2010)
01/22/2010	<u>74</u>	MOTION for Extension of Time to File <i>Proposed Scheduling/Case Management Order</i> by Equal Employment Opportunity Commission.(Malloy, Margaret) (Entered: 01/22/2010)
01/25/2010	<u>75</u>	DISCOVERY PLAN by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 01/25/2010)
01/25/2010		E–Filing Notification: <u>75</u> DISCOVERY PLAN by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) **Document missing attorney signature**(DZ) (Entered: 01/26/2010)
01/26/2010	<u>76</u>	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to <u>75</u> Discovery Plan. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 01/26/2010)
01/26/2010	<u>77</u>	ORDER granting <u>74</u> Motion for Extension of Time to File. Signed by Hon. Jeremiah J. McCarthy on 1/26/10. (DAZ) (Entered: 01/26/2010)
01/28/2010	<u>78</u>	TEXT ORDER : At plaintiff's request and with defendant's consent, the February 5, 2010 conference is adjourned from 2:00 p.m. to 3:00 p.m. SO ORDERED.Issued by Hon. Jeremiah J. McCarthy on 1/28/10. (DAZ) (Entered: 01/28/2010)

02/02/2010	<u>79</u>	MOTION for Discovery <i>Coordination</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/02/2010)
02/03/2010	<u>80</u>	MOTION Sterling's response to the EEOC's letter request of February 2, 2010, regarding discovery coordination re <u>79</u> MOTION for Discovery <i>Coordination</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Maatman, Gerald) (Entered: 02/03/2010)
02/05/2010	81	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Status/Scheduling Conference held on 2/5/2010. Participants: Margaret Ann Malloy for Plaintiff (via telephone), Scott Patrick Horton (local) and Gerald L. Maatman, Jr. (via telephone) for Defendant. (DAZ) (Entered: 02/05/2010)
02/05/2010	82	TEXT ORDER : In accordance with today's proceeding, plaintiff's motion to bifurcate and to consolidate discovery shall be served and filed on or before February 12, 2010; a response shall be served and filed on or before February 19, 2010; a reply, if any, shall be served and filed on or before February 26, 2010, and oral argument is set for March 1, 2010 at 10:00 a.m. before Hon. Jeremiah J. McCarthy. The parties may participate via telephone by providing the court with a telephone number where they can be contacted. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 2/5/10. (DAZ) (Entered: 02/05/2010)
02/05/2010		CALENDAR EVENT: Oral Argument set for 3/1/2010 AT 10:00 AM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 02/05/2010)
02/05/2010	<u>83</u>	MEMORANDUM in Opposition re <u>69</u> MOTION for Leave to Appeal <i>Certification of Issues for Interlocutory Appeal</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/05/2010)
02/12/2010	<u>84</u>	REPLY/RESPONSE to re <u>83</u> Memorandum in Opposition to Motion, <u>69</u> MOTION for Leave to Appeal <i>Certification of Issues for Interlocutory Appeal /Defendant's Reply to the EEOC's Response To Defendant's Motion for Certification of Issues for Interlocutory Appeal</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 02/12/2010)
02/12/2010	<u>85</u>	MOTION to Bifurcate <i>and Coordinate</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/12/2010)
02/19/2010	<u>86</u>	RESPONSE to Motion re <u>85</u> MOTION to Bifurcate <i>and Coordinate /Defendant's Response To The EEOC's Motion For Bifurcation Of Discovery And Trial And For Coordination Of Discovery</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Order In EEOC v. LA Weight Loss, # <u>2</u> Exhibit 2 – Memorandum & Order In EEOC v. McCormick & Schmick's Seafood Restaurants, Inc., # <u>3</u> Exhibit 3 – Declaration Of Gerald L. Maatman, Jr., Counsel For Sterling Jewelers Inc., Including Exhibits A–E, # <u>4</u> Exhibit A To Maatman Declaration – Sterling's Notice Of Depositions To Claimant's Counsel In The AAA Proceeding, # <u>5</u> Exhibit B To Maatman Declaration – Sterling's Rule 33 Interrogatories And Rule 34 Requests To Produce Documents Served On The EEOC On 2/5/10, # <u>6</u> Exhibit C To Maatman Declaration – Sterling's Notice Of Deposition To The EEOC In EEOC v. Sterling Jewelers Inc., # <u>7</u> Exhibit D To Maatman Declaration – Sterling's Correspondence To The EEOC Dated 2/17/10, # <u>8</u> Exhibit E To Maatman Declaration – Mediation And Confidentiality Agreement And Addendum Between The EEOC And Sterling, # <u>9</u> Exhibit 4 – Case Management Order Re Class Certification In Jock, et al. v. Sterling Jewelers Inc. (AAA Oct. 29, 2009), # <u>10</u> Exhibit 5 – Protective Order Regarding Exchange Of Confidential Information In Jock, et al. v. Sterling Jewelers Inc. (AAA Jan. 8, 2010), # <u>11</u> Exhibit 6 – EEOC Letter Of Determination (Dated Jan. 3, 2008))(Maatman, Gerald) (Entered: 02/19/2010)
02/22/2010	<u>87</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>86</u> Response to Motion,,,,,, / <i>Defendant's Compendium of Unreported Cases Cited in Defendant Sterling Jeweler Inc.'s Response to the EEOC's Motion for Bifurcation of Discovery and Trial and for Coordination of Discovery</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Tab A – Balalovski v. Lucent Techs., Inc., # <u>2</u> Tab B – Barefield v. Chevron, # <u>3</u> Tab C – Butler v. Home Depot, # <u>4</u> Tab D – Chapman v. Carmike

		Cinemas, Inc., # <u>5</u> Tab E – County of Suffolk v. Amerada Hess Corp. (In Re Methyl Tertiary Butyl Ether (MTBE) Prods. Liab. Litig.), # <u>6</u> Tab F – EEOC v. ABM Indus., # <u>7</u> Tab G – EEOC v. CRST Van Expedited, Inc., # <u>8</u> Tab H – EEOC v. Intl Profit Assocs., Inc., # <u>9</u> Tab I – EEOC v. McCormick & Schmicks, # <u>10</u> Tab J – EEOC v. United Parcel Serv., Inc., # <u>11</u> Tab K – In Re Cmty. Bank of N. Va., # <u>12</u> Tab L – Medical Diagnostic Imaging, PLLC v. Carecore Natl, LLC, # <u>13</u> Tab M – Serrano v. Cintas Corp., # <u>14</u> Tab N – Simonetti v. Runyon, # <u>15</u> Tab O – Williams v. United Parcel Serv., Inc., # <u>16</u> Tab P – Zenith Radio Corp. v. Matsushita Elec. Industrial Co.)(Maatman, Gerald) (Entered: 02/22/2010)
02/26/2010	<u>88</u>	ORDER denying <u>69</u> Motion for Leave to Appeal. Case is referred back to Magistrate Judge McCarthy for further proceedings. Signed by Hon. Richard J. Arcara on 2/26/2010. (JMB) (Entered: 02/26/2010)
02/26/2010	<u>89</u>	NOTICE by Equal Employment Opportunity Commission of <i>Appearance of Nora E. Curtin for EEOC</i> (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/26/2010)
02/26/2010	<u>90</u>	REPLY/RESPONSE to re <u>85</u> MOTION to Bifurcate and Coordinate filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Letter from Sterling to Arbitrator, # <u>2</u> Exhibit Letter from plaintiffs to Arbitrator, # <u>3</u> Exhibit Plaintiffs' Brief to Arbitrator, # <u>4</u> Exhibit Sterling's Document Requests to EEOC, # <u>5</u> Exhibit Sterling's Document Requests in Arbitration, # <u>6</u> Certificate of Service)(Malloy, Margaret) (Entered: 02/26/2010)
03/01/2010	<u>91</u>	STATUS REPORT / <i>Letter To Magistrate Judge McCarthy Pursuant To His Request At The Motion Hearing On March 1, 2010</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – Examples Of Sterlings Workplace Arbitration Agreements (From Laryssa Jock, et al. v. Sterling Jewelers Inc., Case No. 08–Civ–2875 (JSR) (S.D.N.Y.) (Document No. 45, dated June 2, 2008)))(Maatman, Gerald) (Entered: 03/01/2010)
03/01/2010	92	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument re plaintiff's motion to bifurcate and to consolidate discovery <u>85</u> held on 3/1/10. Decision to follow. Participants: Margaret Ann Malloy (via telephone) and Nora Curtin for Plaintiff; Gerald L. Maatman, Jr. (via telephone) and Scott Patrick Horton for Defendant. (DAZ) (Entered: 03/01/2010)
03/05/2010	<u>93</u>	NOTICE of Appearance by Judith Ann Biltekoff on behalf of Equal Employment Opportunity Commission (Biltekoff, Judith) (Entered: 03/05/2010)
03/05/2010	94	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: In Chambers Telephonic Status Conference re discovery issues held on 3/5/2010. Participants: Margaret Ann Malloy for Plaintiff and Gerald L. Maatman, Jr. for Defendant. (DAZ) (Entered: 03/05/2010)
03/17/2010	95	TEXT ORDER : A telephonic status conference concerning plaintiff's March 17, 2010 discovery letter is set for March 24, 2010 at 10:00 a.m. before Hon. Jeremiah J. McCarthy. Defendant shall submit a letter response by March 19, 2010. The parties shall provide the court with a telephone number where they can be contacted. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 3/17/10. (DAZ) (Entered: 03/17/2010)
03/24/2010	96	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference re discovery issues held on 3/24/2010. A further conference is scheduled for April 14, 2010 at 2:00 p.m. Participants: Margaret Ann Malloy for Plaintiff and Gerald L. Maatman for Defendant. (DAZ) (Entered: 03/24/2010)
03/24/2010		CALENDAR EVENT: Status Conference set for 4/14/2010 at 02:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 03/24/2010)
03/24/2010	97	TEXT ORDER : In accordance with today's proceeding, the parties shall confer and advise me in writing by April 7, 2010 what issues, if any, remain regarding the sufficiency of the investigative files produced by the EEOC. A status conference concerning this issue is set for April 14, 2010 at 2:00 p.m. The parties may participate via telephone by providing the court with a telephone number where they can be contacted. The court will initiate the call. Additionally, for the reasons placed on the record at today's proceeding, that aspect of the EEOC's motion <u>85</u> seeking coordinated

		discovery with the AAA arbitration in <u>Jock, et al. v. Sterling Jewelers, Inc.</u> is DENIED. The remaining aspect of the motion <u>85</u> seeking bifurcation will be addressed by Judge Arcara. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 3/24/10. (DAZ) (Entered: 03/24/2010)
04/06/2010		NOTICE OF ORAL ARGUMENT. Oral Argument as to <u>85</u> Motion to Bifurcate (bifurcation issue only) filed by plaintiff is scheduled for 4/15/2010 at 3:00 PM before Hon. Richard J. Arcara. (DJD) (Entered: 04/06/2010)
04/07/2010	98	TEXT ORDER : At the parties' request, the April 14, 2010 conference is rescheduled to April 15, 2010 at 12:30 p.m. before Hon. Jeremiah J. McCarthy. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/7/10. (DAZ) (Entered: 04/07/2010)
04/15/2010	99	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Status Conference held re investigative files issue on 4/15/2010. Participants: Nora E. Curtin, Margaret Ann Malloy, Judith Ann Biltekoff for Plaintiff; Gerald L. Maatman Jr. and Scott Patrick Horton for Defendant. (DAZ) (Entered: 04/15/2010)
04/15/2010	102	Minute Entry for proceedings held 4/15/2010 before Hon. Richard J. Arcara. Oral Argument is held as to <u>85</u> Motion to Bifurcate filed by plaintiff. The Court is advised that all parties are in agreement that this matter needs to be bifurcated, however, at issue is whether punitive damages need to be addressed at stage I.. The Court reserves decision on the bifurcation issues. The Court questions the parties as to whether this matter should be stayed pending resolution of the arbitration. Appearances: Pltf – Margaret Molloy, Nora Curtin and Judith Biltekoff; Deft – Gerald Maatman and Scott Horton. (Court Reporter Yvonne Garrison.) (EAK) Modified on 4/30/2010 (EAK). (Entered: 04/21/2010)
04/19/2010	100	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference re disagreement on number and parties to be deposed held on 4/19/2010. Participants: Margaret Ann Malloy for Plaintiff and Gerald Maatman Jr. for Defendant. (DAZ) (Entered: 04/19/2010)
04/20/2010	101	TEXT ORDER : As agreed at the April 16 and 19, 2010 proceedings: 1) the parties may serve up to 40 interrogatories and 50 document requests, subject to the right to seek upward modification of these limitations as the case progresses; 2) by April 20, 2010 the EEOC will provide Sterling with the names and addresses of those employees whom it currently intends to call as stage 1 witnesses, and Sterling may thereafter conduct the depositions of these witnesses and any additional stage 1 witnesses to be subsequently identified by the EEOC; 3) the EEOC shall file and serve its motions for a protective order concerning Sterling's Rule 30(b)(6) deposition notice, for leave to participate in the depositions of class members noticed in the pending arbitration, and seeking any related relief on or before April 30, 2010; 4) Sterling's response shall be filed and served on or before May 14, 2010; 5) the EEOC's reply, if any, shall be filed and served on or before May 21, 2010; and 6) oral argument is set for May 26, 2010 at 3:00 p.m. EDT before Hon. Jeremiah J. McCarthy. The parties may participate via telephone by contacting the court with a telephone number where they can be contacted. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/20/10. (DAZ) (Entered: 04/20/2010)
04/21/2010	<u>103</u>	MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Order, # <u>2</u> Exhibit A – Sterling's Proposed Stipulation and Agreed Protective Order, # <u>3</u> Exhibit B – EEOCs First Set Of Requests For Production In The WDNY Dated March 23, 2010, # <u>4</u> Exhibit C – Correspondence From The EEOC To Sterlings Defense Counsel Dated March 23, 2010 Regarding The EEOCs First Set Of Requests For Production, # <u>5</u> Exhibit D – Correspondence From Sterlings Defense Counsel To The EEOC Dated April 6, 2010 In Response To The EEOCs Letter Of March 23, 2010, # <u>6</u> Exhibit E – Ruling In Duling, et al. v. Gristedes Operating Corp., et al., 2010 U.S. Dist. LEXIS 31690 (S.D.N.Y. Mar. 30, 2010), # <u>7</u> Exhibit F – Declaration Of Gerald L. Maatman, Jr.)(Maatman, Gerald) (Entered: 04/21/2010)
04/23/2010	<u>104</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 4/15/10, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Karen J. Bush, Telephone number (585) 613–4312. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER..

		Redaction Request due 5/14/2010. Redacted Transcript Deadline set for 5/24/2010. Release of Transcript Restriction set for 7/22/2010. (DZ) (Entered: 04/23/2010)
04/27/2010	<u>105</u>	TEXT ORDER : The EEOC's response to Sterling's motion for entry of a protective order <u>103</u> shall be served and filed on or before May 10, 2010; a reply, if any, shall be served and filed on or before May 17, 2010, after which time the motion <u>103</u> will be taken under advisement without oral argument. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/27/10. (DAZ) (Entered: 04/27/2010)
04/28/2010	<u>106</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 2/5/10, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number (843) 723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 5/19/2010. Redacted Transcript Deadline set for 5/31/2010. Release of Transcript Restriction set for 7/27/2010. (DZ) (Entered: 04/28/2010)
04/28/2010	<u>107</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/1/10, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number (843) 723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 5/19/2010. Redacted Transcript Deadline set for 5/31/2010. Release of Transcript Restriction set for 7/27/2010. (DZ) (Entered: 04/28/2010)
04/28/2010	<u>108</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/24/10, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number (843) 723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 5/19/2010. Redacted Transcript Deadline set for 5/31/2010. Release of Transcript Restriction set for 7/27/2010. (DZ) (Entered: 04/28/2010)
04/30/2010		E-Filing Notification: 102 Minute Entry filing date corrected. (EAK) (Entered: 04/30/2010)
04/30/2010	<u>109</u>	MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19)(Malloy, Margaret) (Entered: 04/30/2010)
04/30/2010	<u>110</u>	MEMORANDUM in Support re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 04/30/2010)
04/30/2010	<u>111</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses</i> , <u>110</u> Memorandum in Support of Motion (Malloy, Margaret) (Entered: 04/30/2010)
05/10/2010	<u>112</u>	RESPONSE to Motion re <u>103</u> MOTION for Protective Order <i>/Motion For Entry Of A Protective Order</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 05/10/2010)
05/10/2010	<u>113</u>	DECLARATION re <u>103</u> MOTION for Protective Order <i>/Motion For Entry Of A Protective Order</i> filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1 EEOC's Proposal, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Malloy, Margaret) (Entered: 05/10/2010)
05/10/2010	<u>114</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>113</u> Declaration, <u>112</u> Response to Motion <i>for a Protective Order</i> (Malloy, Margaret) (Entered: 05/10/2010)

05/11/2010	<u>115</u>	NOTICE of Appearance by Lawrence Mays on behalf of Equal Employment Opportunity Commission (Mays, Lawrence) (Entered: 05/11/2010)
05/11/2010	<u>116</u>	CERTIFICATE of Counsel re <u>115</u> Notice of Appearance <i>Certificate of Service</i> by Lawrence Mays on behalf of Equal Employment Opportunity Commission (Mays, Lawrence) (Entered: 05/11/2010)
05/14/2010	<u>117</u>	RESPONSE to Motion re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses / Defendant's Response To The EEOCS Motion For Protection</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Declaration Of Gerald L. Maatman, Jr., # <u>2</u> Exhibit A – Letter To Magistrate Judge McCarthy Dated March 19, 2010, # <u>3</u> Exhibit B – Letter To Magistrate Judge McCarthy Dated April 7, 2010, # <u>4</u> Exhibit C – AAA Order Of March 31, 2010, # <u>5</u> Exhibit D – EEOCs Amended Privilege Log Produced On April 30, 2010, # <u>6</u> Exhibit E – Defendants First Set Of Requests For Production Of Documents To Plaintiffs, # <u>7</u> Exhibit F – AAA Protective Order Dated January 8, 2010)(Maatman, Gerald) (Entered: 05/14/2010)
05/14/2010	<u>118</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>117</u> Response to Motion,,, / <i>Compendium Of Unreported Cases Cited In Defendant Sterling Jeweler Inc.'s Response To The EEOC's Motion For Protection (Tabs A Through H)</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Compendium Of Unreported Cases Cited In Defendant Sterling Jeweler Inc.'s Response To The EEOC's Motion For Protection (Tabs I Through O), # <u>2</u> Compendium Of Unreported Cases Cited In Defendant Sterling Jeweler Inc.'s Response To The EEOC's Motion For Protection (Tabs P Through W))(Maatman, Gerald) (Entered: 05/14/2010)
05/17/2010	<u>119</u>	REPLY/RESPONSE to re <u>112</u> Response to Motion, <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order / Defendant's Reply Brief in Support of its Motion for Entry of a Protective Order</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Declaration Of Gerald L. Maatman, Jr. & Exhibit A To Maatman Declaration – Letter From Maatman To Malloy, Counsel For The EEOC, Dated 5/13/10, With A Redline And A Clean Version Of A Proposed Protective Order, # <u>2</u> Exhibit 2 – Sterlings Compromise Proposed Confidentiality Stipulation And Order, # <u>3</u> Exhibit 3 – Sterlings Compromise Proposed Confidentiality Stipulation And Order, # <u>4</u> Exhibit 4 – Protective Order Signed By Magistrate Judge Jeremiah J. McCarthy In <i>Bistis v. Am. Precision Indus. Inc.</i> , Civil Case No. 1:09–CV–247 (W.D.N.Y.), # <u>5</u> Exhibit 5 – Protective Order Signed By Magistrate Judge Jeremiah J. McCarthy In <i>N. Forest Development v. Walden Avenue Realty Assocs., LLC</i> , Civil Case No. 06–CV–00378 A(JJM) (W.D.N.Y.), # <u>6</u> Exhibit 6 – Protective Order Signed By United States Judge Richard J. Arcara Jeremiah J. McCarthy in <i>Field v. Tonawanda City Sch. Dist.</i> , Civ. No. 07–CV–0241 A(F) (W.D.N.Y.), # <u>7</u> Exhibit 7 – Sample Discovery Confidentiality Order Adopted By The United States District Court For The District Of New Jersey)(Maatman, Gerald) (Entered: 05/17/2010)
05/17/2010	<u>120</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>119</u> Reply/Response,,,,, <i>DEFENDANTS COMPENDIUM OF UNREPORTED CASES CITED IN DEFENDANT STERLING JEWELERS INC.S REPLY IN SUPPORT OF ITS MOTION FOR ENTRY OF A PROTECTIVE ORDER – TABS A THROUGH E</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> DEFENDANTS COMPENDIUM OF UNREPORTED CASES – TABS F THROUGH J, # <u>2</u> DEFENDANTS COMPENDIUM OF UNREPORTED CASES – TABS K THROUGH O)(Maatman, Gerald) (Entered: 05/17/2010)
05/21/2010	<u>121</u>	REPLY/RESPONSE to re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 05/21/2010)
05/25/2010	<u>122</u>	DECLARATION signed by Jacqueline A. Berrien re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses</i> filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 05/25/2010)
05/26/2010	123	TEXT ORDER : At defendant's request, today's oral argument is adjourned to June 8, 2010 at 11:00 a.m. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 5/26/10.

		(DAZ) (Entered: 05/26/2010)
05/26/2010	<u>124</u>	NOTICE of Appearance by Jeffrey A. Stern on behalf of Equal Employment Opportunity Commission (Stern, Jeffrey) (Entered: 05/26/2010)
06/08/2010	<u>125</u>	MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> by Arbitration Claimants.(Mezzetti, Lisa) (Entered: 06/08/2010)
06/08/2010	<u>126</u>	MEMORANDUM IN SUPPORT re <u>125</u> MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> by Arbitration Claimants. (Attachments: # <u>1</u> Exhibit Exhibit 1: EEOC Complaint, # <u>2</u> Exhibit Exhibit 2: Proposed Order, # <u>3</u> Exhibit Exhibit 3: First Amended Arbitration Complaint, # <u>4</u> Exhibit Exhibit 4: Order Accepting Amended Case Management Plan, # <u>5</u> Exhibit Exhibit 5: Protective Order, # <u>6</u> Certificate of Service)(Mezzetti, Lisa) (Entered: 06/08/2010)
06/08/2010	127	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument held on 6/8/2010. Participants: Margaret Ann Malloy (via telephone) and Judith Ann Biltekoff for plaintiff; Gerald L. Maatman, Jr. (via telephone) for defendant. (DAZ) (Entered: 06/08/2010)
06/08/2010	128	TEXT ORDER : In accordance with today's oral argument, the EEOC may submit a sur-reply, not to exceed 10 pages, to Sterling's motion for a protective order <u>103</u> on or before June 18, 2010. Sterling's and the EEOC's responses to the arbitration claimants' motion to intervene <u>125</u> shall be served and filed on or before June 18, 2010; the arbitration claimants' reply, if any, shall be served and filed on or before June 28, 2010; and oral argument of the motion to intervene <u>125</u> and Sterling's motion for a protective order <u>103</u> is set for July 9, 2010 at 10:00 a.m. before Hon. Jeremiah J. McCarthy. Counsel for the parties and the arbitration claimants may participate via telephone by providing the court with telephone numbers where they can be contacted. The court will initiate the call. If the motion to intervene <u>125</u> is granted, counsel for the arbitration claimants will be required to obtain local counsel and to become admitted (<i>pro hac vice</i> or otherwise) in this District, if necessary. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/8/10. (A copy of this order has been e-mailed to lmezzetti@cohenmilstein.com, jsellers@cohenmilstein.com, jyang@cohenmilstein.com).(DAZ) (Entered: 06/08/2010)
06/16/2010	129	TEXT ORDER : At the arbitration claimants' request and with the consent of the parties, the July 9, 2010 oral argument is rescheduled to 11:00 a.m. SO ORDERED.Issued by Hon. Jeremiah J. McCarthy on 6/16/10. (DAZ) (Entered: 06/16/2010)
06/18/2010	<u>130</u>	RESPONSE to Motion re <u>125</u> MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A Case Management Order Re Class Certification In Jock, et al. v. Sterling Jewelers Inc., Claim No. 11 160 00655 08 (American Arbitration Association Oct. 29, 2009), # <u>2</u> Exhibit B Order Re Protective Order Regarding Exchange Of Confidential Information In Jock, et al. v. Sterling Jewelers Inc., Claim No. 11 160 0644 09 (American Arbitration Association November 24, 2009), # <u>3</u> Exhibit C Protective Order Regarding Exchange Of Confidential Information In Jock, et al. v. Sterling Jewelers Inc., Claim No. 11 160 0644 09 (American Arbitration Association January 8, 2010), # <u>4</u> Exhibit D Claimants First Requests For Production Of Documents To Respondent (Dated November 10, 2009), # <u>5</u> Exhibit E Declaration Of Gerald L. Maatman, Jr., # <u>6</u> Exhibit F EEOCs First Set Of Requests For Production Of Documents To Respondent (Dated March 23, 2010), # <u>7</u> Exhibit G EEOCs Second Set Of Requests For Production Of Documents To Respondent (Dated April 30, 2010))(Maatman, Gerald) (Entered: 06/18/2010)
06/18/2010	<u>131</u>	DECLARATION signed by Margaret A. Malloy re <u>125</u> MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> , <u>119</u> Reply/Response,,,,, filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1: EEOC's 1st Doc Requests, # <u>2</u> Exhibit 2-Arb Clmts' 1st Doc Requests, # <u>3</u> Exhibit 3-Sterling Resp EEOC's 1st Doc Requests, # <u>4</u> Exhibit 4 - EEOC Letter to Sterling, 5/25/10, # <u>5</u>

		Exhibit 5 – EEOC Rev Prop Confid Order, # <u>6</u> Exhibit 6 – EEOC's 2nd Doc Requests, # <u>7</u> Exhibit 7 – Sterling's Resp EEOC's 2nd Doc Requests, # <u>8</u> Exhibit 8 – Sterling Email to EEOC, May 18, 2010, # <u>9</u> Exhibit 9 – Order in Duling v. Gristede's, # <u>10</u> Exhibit 10 – Order in EEOC v. Grace Church, # <u>11</u> Exhibit 11 – Order in EEOC v. Bloomberg, # <u>12</u> Exhibit 12 – Order in EEOC v. Eden Park, # <u>13</u> Exhibit 13 – Order in White Cap Constr., # <u>14</u> Certificate of Service)(Malloy, Margaret) (Entered: 06/18/2010)
06/28/2010	<u>132</u>	REPLY/RESPONSE to re <u>109</u> MOTION for Protective Order <i>Prohibiting Certain Discovery and Allowing EEOC to Attend Depositions of Its Witnesses Letter re. Recent Court Decision</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 06/28/2010)
06/28/2010	<u>133</u>	REPLY to Response to Motion re <u>125</u> MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> filed by Arbitration Claimants. (Attachments: # <u>1</u> Exhibit 1 – RESOLVE Arbitration Agreement, # <u>2</u> Exhibit 2 – Jean v. The Stanley Works (N.D. Ohio 2007), # <u>3</u> Exhibit 3 – EEOC Guidance on Non-Waivable Employee Rights, # <u>4</u> Exhibit 4 – Order Re: Protective Order Regarding Exchange of Confidential Info. (Nov. 24, 2009), # <u>5</u> Exhibit 5 – Bell v. Lockheed Martin Corp. (D.N.J. 2010))(Mezzetti, Lisa) (Entered: 06/28/2010)
07/06/2010	<u>134</u>	STATUS REPORT / <i>Letter Submission To The Honorable Judge Jeremiah J. McCarthy Regarding Developments In The AAA Proceeding</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 07/06/2010)
07/06/2010		E-Filing Notification: <u>134</u> STATUS REPORT / <i>Letter Submission To The Judge McCarthy Regarding Developments In The AAA Proceeding</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) **Item filed without proof of service** (DZ) (Entered: 07/07/2010)
07/07/2010	<u>135</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>134</u> Status Report, E-Filing Notification / <i>Letter Submission To The Honorable Judge Jeremiah J. McCarthy Regarding Developments In The AAA Proceeding</i> (Maatman, Gerald) (Entered: 07/07/2010)
07/07/2010	<u>136</u>	STATUS REPORT by Arbitration Claimants. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Certificate of Service)(Mezzetti, Lisa) (Entered: 07/07/2010)
07/08/2010	<u>137</u>	REPLY/RESPONSE to re <u>134</u> Status Report filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 07/08/2010)
07/09/2010	<u>138</u>	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument re: MOTION Motion to Intervene for Limited Purpose of Inclusion in Confidentiality Order to be Entered re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order</i> by Arbitration Claimants held on 7/9/2010. ORDER TO FOLLOW. Joseph Sellers for Arbitration Claimants (local counsel as observer, Don Eppes) — both in person. Margaret Malloy for Pltf (in person). Gerald Maatman, Jr. for Deft (via phone). (LL) (Entered: 07/09/2010)
07/15/2010	<u>139</u>	DECISION AND ORDER granting in part and denying in part <u>109</u> Motion for Protective Order; granting <u>125</u> arbitration claimants' motion to intervene. Signed by Hon. Jeremiah J. McCarthy on 7/15/10. (DAZ) (Entered: 07/15/2010)
07/15/2010		CALENDAR EVENT: Status Conference set for 8/5/2010 at 11:00 AM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 07/15/2010)
07/27/2010	<u>140</u>	NOTICE of Appearance by Lisa T. Sofferin on behalf of Arbitration Claimants (Sofferin, Lisa) (Entered: 07/27/2010)
07/28/2010	<u>141</u>	MOTION for Leave to Appear Pro Hac Vice by Arbitration Claimants.(Sofferin, Lisa) (Entered: 07/28/2010)
07/28/2010	<u>142</u>	MOTION for Leave to Appear Pro Hac Vice by Arbitration Claimants.(Sofferin, Lisa) (Entered: 07/28/2010)

07/29/2010		Remark – Confirmed admission to the District of Columbia State Bar for attorneys Joseph M. Sellers and Jenny R. Yang. (DZ) (Entered: 07/29/2010)
07/29/2010	<u>143</u>	ORDER granting [141, 142] Motions for Leave to Appear (Jenny R. Yang, Esq. and Joseph M. Sellers, Esq.) <i>pro hac vice</i> . Signed by Hon. Jeremiah J. McCarthy on 7/29/10. (DAZ) (Entered: 07/29/2010)
07/29/2010	<u>144</u>	OBJECTIONS to Order on Motion for Protective Order, Order on Motion for Miscellaneous Relief <u>139</u> / <i>Defendant's Limited Objections Pursuant To Rule 72 To Magistrate Judge McCarthy's Decision And Order</i> filed by Defendant Sterling Jewelers, Inc... (Attachments: # <u>1</u> Exhibit A – July 26, 2010 Memorandum And Order In Jock, et al. v. Sterling Jewelers Inc., No. 08–Civ–2875 (JSR), 2010 U.S. Dist. LEXIS 75064 (S.D.N.Y. July 26, 2010), # <u>2</u> Compendium Of Unreported Cases Cited In Defendant's Limited Objections Pursuant To Rule 72 To Magistrate Judge McCarthy's Decision And Order)(Maatman, Gerald) (Entered: 07/29/2010)
07/30/2010	<u>145</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 7/9/10, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Michelle L. McLaughlin, Telephone number (716) 332–3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 8/20/2010. Redacted Transcript Deadline set for 8/30/2010. Release of Transcript Restriction set for 10/28/2010. (DZ) (Entered: 08/02/2010)
08/02/2010	<u>146</u>	OBJECTIONS to Order on Motion for Protective Order, Order on Motion for Miscellaneous Relief <u>139</u> filed by Plaintiff Equal Employment Opportunity Commission.. (Attachments: # <u>1</u> Certificate of Service)(Sanghvi, Ami) (Entered: 08/02/2010)
08/02/2010		E–Filing Notification: Username and signature do not match (refer to Administrative Procedures Guide Section 1–3c). Action required: re–file document using same signature and password and file updated proof of service. <u>146</u> OBJECTIONS to Order on Motion for Protective Order, Order on Motion for Miscellaneous Relief <u>139</u> filed by Plaintiff Equal Employment Opportunity Commission.. (Attachments: # <u>1</u> Certificate of Service)(Sanghvi, Ami) (DZ) (Entered: 08/03/2010)
08/02/2010		Pro Hac Vice fee paid for Josseph M. Sellers, Jenny R. Yang: \$ 150.00, receipt number 19383 (DZ) (Entered: 08/03/2010)
08/03/2010	147	TEXT ORDER re <u>144</u> Objections filed by defendants and <u>146</u> Objections filed by plaintiff to <u>139</u> Decision and Order dated 7/15/2010 of Magistrate Judge Jeremiah J. McCarthy. Response papers shall be filed on or before 8/17/2010. Any reply papers shall be filed on or before 8/24/2010. Oral Argument is scheduled for 9/2/2010 at 09:00 AM before Hon. Richard J. Arcara . SO ORDERED. Issued by Hon. Richard J. Arcara on August 3, 2010. (DJD) (Entered: 08/03/2010)
08/03/2010	<u>148</u>	OBJECTIONS to Order on Motion for Protective Order, Order on Motion for Miscellaneous Relief <u>139</u> filed by Plaintiff Equal Employment Opportunity Commission.. (Attachments: # <u>1</u> Certificate of Service)(Sanghvi, Ami) (Entered: 08/03/2010)
08/04/2010	<u>149</u>	REPLY/RESPONSE to re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order re: EEOC's 8/4/10 letter</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 08/04/2010)
08/04/2010		E–Filing Notification: <u>149</u> REPLY/RESPONSE (Maatman, Gerald) **item filed without proof of service** (DZ) (Entered: 08/05/2010)
08/05/2010	<u>150</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>149</u> Reply/Response / <i>Letter Submission to the Honorable Judge Jeremiah J. McCarthy Regarding Sterling's Motion filed on April 21, 2010</i> (Maatman, Gerald) (Entered: 08/05/2010)
08/05/2010	151	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 8/5/2010. Text Order to follow. Participants: Margaret Ann Malloy for Plaintiff; Gerald L. Maatman, Jr. for Defendant; Joseph M. Sellers, Jenny R. Yang and Lisa T. Sofferin for Arbitration Claimants. (DAZ) (Entered: 08/05/2010)

08/05/2010	<u>152</u>	TEXT ORDER : In accordance with today's conference, on or before August 17, 2010, the parties, including the arbitration claimants, shall file the most current version of the proposed protective order, along with letter briefs (not to exceed 5 pages, single spaced) addressing the areas that remain in dispute concerning Sterling's motion for a protective order <u>103</u> . As to each disputed provision, the parties and arbitration claimants shall indicate the language which they wish to include. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 8/5/10. (DAZ) (Entered: 08/05/2010)
08/06/2010	<u>153</u>	NOTICE of Appearance by Natasha L. Abel on behalf of Equal Employment Opportunity Commission (Abel, Natasha) (Entered: 08/06/2010)
08/13/2010	<u>154</u>	NOTICE of Appearance by Jennifer Lynn Hope on behalf of Equal Employment Opportunity Commission (Hope, Jennifer) (Entered: 08/13/2010)
08/16/2010	<u>155</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 4/15/10, before Judge Richard J. Arcara. Court Reporter/Transcriber Yvonne M. Garrison, Telephone number (716) 847-2477. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 9/6/2010. Redacted Transcript Deadline set for 9/16/2010. Release of Transcript Restriction set for 11/15/2010. (DZ) (Entered: 08/16/2010)
08/17/2010	<u>156</u>	RESPONSE to Motion re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order Supplemental Letter Brief</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 08/17/2010)
08/17/2010	<u>157</u>	REPLY/RESPONSE to re <u>148</u> Objections -- non-motion / <i>Defendant's Response To Plaintiff EEOCs Objections In Part To The July 15, 2010 Order Of Magistrate Judge McCarthy</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A - July 26, 2010 Memorandum And Order In Jock, et al. v. Sterling, # <u>2</u> Exhibit B - August 9, 2010 Memorandum And Order In Jock, et al. v. Sterling Jewelers, # <u>3</u> Compendium Of Unreported Cases Cited In Defendants Response To Plaintiff EEOCs Objection In Part To The 7/15/10 Order Of Magistrate Judge McCarthy)(Maatman, Gerald) (Entered: 08/17/2010)
08/17/2010	<u>158</u>	RESPONSE to Motion re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order Supplemental Letter Brief</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Sterling's Compromise Proposed Confidentiality Stipulation And Order)(Maatman, Gerald) (Entered: 08/17/2010)
08/17/2010	<u>159</u>	REPLY/RESPONSE to re <u>144</u> Objections -- non-motion,, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 08/17/2010)
08/17/2010	<u>160</u>	RESPONSE to Motion re <u>103</u> MOTION for Protective Order / <i>Motion For Entry Of A Protective Order (Supplemental Letter Brief)</i> filed by Arbitration Claimants. (Attachments: # <u>1</u> Certificate of Service)(Sellers, Joseph) (Entered: 08/17/2010)
08/17/2010	<u>161</u>	REPLY/RESPONSE to re <u>144</u> Objections -- non-motion,, filed by Arbitration Claimants. (Attachments: # <u>1</u> Exhibit 1 - First Amended Class Action Arbitration Complaint, # <u>2</u> Exhibit 2 - Order re: Protective Order Regarding Exchange of Confidential Information, # <u>3</u> Exhibit 3 - Jean v. The Stanley Works (Order), # <u>4</u> Exhibit 4 - Guidance, # <u>5</u> Certificate of Service)(Sellers, Joseph) (Entered: 08/17/2010)
08/17/2010		E-Filing Notification: <u>158</u> RESPONSE to Motion re <u>103</u> MOTION for Protective Order (Maatman, Gerald) **Item filed without proof of service** (DZ) (Entered: 08/18/2010)
08/18/2010	<u>162</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>158</u> Response to Motion, / <i>Supplemental Letter Submission To The Honorable Judge Jeremiah J. McCarthy</i> (Maatman, Gerald) (Entered: 08/18/2010)
08/24/2010	<u>163</u>	REPLY/RESPONSE to re <u>146</u> Objections -- non-motion <i>Reply Memorandum of Law in Further Support of EEOCs Objection in Part to the July 15, 2010 Order of Magistrate Judge McCarthy</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Sanghvi, Ami) (Entered: 08/24/2010)

08/24/2010	<u>164</u>	REPLY/RESPONSE to re <u>159</u> Reply/Response, <u>161</u> Reply/Response, / <i>Defendant's Reply To The EEOC And Arbitration Claimants' Responses To Defendant's Limited Objections Pursuant To Rule 72 To The Magistrate Judge's Decision And Order</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – July 26, 2010 Memorandum And Order In Jock, et al. v. Sterling Jewelers Inc., # <u>2</u> Exhibit B – August 9, 2010 Memorandum And Order In Jock, et al. v. Sterling Jewelers Inc., # <u>3</u> Certificate of Service, # <u>4</u> Compendium of Unreported Cases Cited in Defendant's Reply)(Maatman, Gerald) (Entered: 08/24/2010)
09/01/2010	165	TEXT ORDER. The 9/2/2010 oral argument is adjourned by the Court as to <u>144</u> Objections filed by defendants and <u>146</u> Objections filed by plaintiff to <u>139</u> Decision and Order dated 7/15/2010 of Magistrate Judge Jeremiah J. McCarthy. The oral argument is adjourned to 10/15/2010 at 02:00 PM before Hon. Richard J. Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on September 1, 2010. (DJD) (Entered: 09/01/2010)
09/03/2010	<u>166</u>	MOTION for Hearing re 165 Order, Terminate Hearings, Set/Reset Motion and R&R Deadlines/Hearings,,, / <i>Unopposed Motion For Setting Of A New Hearing Date On The Parties Rule 72 Objections</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration Of Gerald L. Maatman, Jr., # <u>2</u> Certificate of Service)(Maatman, Gerald) (Entered: 09/03/2010)
09/09/2010	167	TEXT ORDER. Defendant filed <u>166</u> Motion for adjournment of the 10/15/2010 oral argument date as to <u>144</u> Objections filed by defendants and <u>146</u> Objections filed by plaintiff to <u>139</u> Decision and Order dated 7/15/2010 of Magistrate Judge Jeremiah J. McCarthy. The motion is granted. Oral Argument is adjourned to 10/19/2010 at 02:00 PM before Hon. Richard J. Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on September 9, 2010. (DJD) (Entered: 09/09/2010)
10/15/2010	<u>168</u>	DECLARATION signed by Margaret A. Malloy re <u>148</u> Objections -- non-motion, <u>159</u> Reply/Response filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 10/15/2010)
10/19/2010		Minute Entry for proceedings held 10/19/2010 before Hon. Richard J. Arcara. Oral Argument is held as to <u>144</u> Objections (Appeal) filed by defendants and <u>146</u> Objections (Appeal) filed by plaintiff to <u>139</u> Decision and Order dated 7/15/2010 of Magistrate Judge Jeremiah J. McCarthy. Appearances: Pltf – Margaret Malloy; Deft – Gerald Maatman, Scott Horton; Arbitration Claimants – Jenny Yang, Donald Eppers (Court Recorder ECRO Elizabeth Knipe.) (DJD) (Entered: 11/29/2010)
04/25/2011	<u>169</u>	DECISION AND ORDER granting in part and denying in part <u>85</u> Motion to Bifurcate. Signed by Hon. Richard J. Arcara on 4/25/2011. (JMB) (Entered: 04/25/2011)
04/25/2011	<u>170</u>	ORDER affirming Magistrate Judge McCarthy;s Decision and Order and denying the parties' objections thereto. Signed by Hon. Richard J. Arcara on 4/25/2011. (JMB) (Entered: 04/25/2011)
05/06/2011	171	TEXT ORDER : A status conference is set for May 20, 2011 at 10:00 a.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 5/6/11. (DAZ) (Entered: 05/06/2011)
05/09/2011	172	TEXT ORDER : The status conference set for May 20, 2011 at 10:00 a.m. in <u>Equal Employment Opportunity Commission v. Sterling Jewelers, Inc.</u> , (8-cv-706) is rescheduled to May 17, 2011 at 11:30 a.m. Oral argument in <u>Equal Employment Opportunity Commission v. Sterling Jewelers Inc.</u> (11-mc-28) is also set for this time. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 5/9/11. (DAZ) (Entered: 05/09/2011)
05/17/2011	173	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Status Conference held on 5/17/2011 to discuss discovery issues/ motion for confidentiality order. Written decision to follow. A further status conference is set for 6/23/11 at 3:00 p.m. Apearances: Pltfs – Margaret Ann Malloy, Judith Ann Biltekoff, Ami T. Sanghvi; Defts – Scott Patrick Horton, Gerald L. Maatman, Jr., Stephen S. Zashin (via telephone); Intervenors – Joseph M. Sellers. (DAZ) (Entered: 05/17/2011)

05/17/2011	174	TEXT ORDER: In accordance with today's proceeding, a conference is set for June 23, 2011 at 3:00 p.m. On or before June 16, 2011, the parties shall confer and submit (joint or individual) proposed case management orders and letters addressing the issues, if any, they wish to address at the conference. The parties may participate in the June 23 conference via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 5/17/11. (DAZ) (Entered: 05/17/2011)
05/17/2011		Set/Reset Hearings: Status Conference set for 6/23/2011 03:00 PM before Hon. Jeremiah J. McCarthy. (DZ) (Entered: 05/18/2011)
05/23/2011	<u>175</u>	MOTION for Reconsideration re <u>169</u> Order on Motion to Bifurcate by Equal Employment Opportunity Commission.(Malloy, Margaret) (Entered: 05/23/2011)
05/23/2011	<u>176</u>	MEMORANDUM in Support re <u>175</u> MOTION for Reconsideration re <u>169</u> Order on Motion to Bifurcate filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 05/23/2011)
05/23/2011	<u>177</u>	AFFIDAVIT in Support re <u>175</u> MOTION for Reconsideration re <u>169</u> Order on Motion to Bifurcate filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 05/23/2011)
05/23/2011	<u>178</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>175</u> MOTION for Reconsideration re <u>169</u> Order on Motion to Bifurcate, <u>176</u> Memorandum in Support of Motion, <u>177</u> Affidavit in Support of Motion (Malloy, Margaret) (Entered: 05/23/2011)
05/26/2011	179	TEXT ORDER re <u>175</u> MOTION for Reconsideration filed by Equal Employment Opportunity Commission. Defendant to file a response by 6/3/2011. Signed by Hon. Richard J. Arcara on 5/26/2011. (JMB) (Entered: 05/26/2011)
06/03/2011	<u>180</u>	RESPONSE to Motion re <u>175</u> MOTION for Reconsideration re <u>169</u> Order on Motion to Bifurcate (<i>Response to EEOC's Motion for Clarification or Reconsideration of the Court's April 25, 2011 Order Concerning Bifurcation</i>) filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration Of Gerald L. Maatman, Jr., # <u>2</u> Exhibit A To Maatman Declaration – Plaintiff EEOCs Initial Disclosures Pursuant To Rule 26(a)(1), # <u>3</u> Exhibit B To Maatman Declaration – EEOCs Responses To Sterlings First Set Of Interrogatories)(Maatman, Gerald) (Entered: 06/03/2011)
06/03/2011	<u>181</u>	CONTINUATION OF EXHIBITS to <u>180</u> Response to Motion,, (<i>Compendium Of Unreported Cases Cited In Defendant's Response To The EEOC's Motion For Clarification (Tabs A – D)</i>). (Attachments: # <u>1</u> Compendium Of Unreported Cases Cited In Defendant's Response To The EEOC's Motion For Clarification (Tabs E – H))(Maatman, Gerald) (Entered: 06/03/2011)
06/16/2011	182	TEXT ORDER denying <u>175</u> Motion for Reconsideration. Signed by Hon. Richard J. Arcara on 6/16/2011. (JMB) (Entered: 06/16/2011)
06/23/2011	<u>183</u>	DECISION AND ORDER granting in part and denying in part <u>103</u> Motion for Protective Order. Signed by Hon. Jeremiah J. McCarthy on 6/23/11. (DAZ) (Entered: 06/23/2011)
06/23/2011	184	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 6/23/2011 to set Case Management Order deadlines. Due to unresolved issues, deadlines not set. Further submissions to be made addressing these issues to the court. Appearances: Margaret Ann Malloy – Plaintiff; Gerald L. Maatman, Jr. – Defendant; Joseph M. Sellers – Arbitration Claimants. (DAZ) (Entered: 06/24/2011)
06/24/2011	185	TEXT ORDER : In accordance with yesterday's proceeding, on or before July 15, 2011 the parties shall file and serve briefs addressing whether the EEOC's individual claims of unlawful discrimination under Section 706 of Title VII of the Civil Rights Act of 1964 should also be bifurcated. The parties' briefs may also address any discovery issues bearing directly on bifurcation. Entry of a Case Management Order will be deferred until this issue is resolved. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/24/11. (DAZ) (Entered: 06/24/2011)

06/30/2011	<u>186</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/23/11, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Christi A. Macri, Telephone number (585) 613-4310. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/21/2011. Redacted Transcript Deadline set for 8/1/2011. Release of Transcript Restriction set for 9/28/2011. (DZ) (Entered: 07/01/2011)
07/06/2011	<u>187</u>	Proposed MOTION for Protective Order <i>Pursuant to the Court's June 23, 2011 Order</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Confidentiality Stipulation And Order)(Maatman, Gerald) (Entered: 07/06/2011)
07/07/2011	<u>188</u>	RESPONSE to Motion re <u>187</u> Proposed MOTION for Protective Order <i>Pursuant to the Court's June 23, 2011 Order</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order EEOC's Version, # <u>2</u> Text of Proposed Order Redlined Comparison, # <u>3</u> Certificate of Service)(Malloy, Margaret) (Entered: 07/07/2011)
07/07/2011	<u>189</u>	RESPONSE to Motion re <u>187</u> Proposed MOTION for Protective Order <i>Pursuant to the Court's June 23, 2011 Order</i> filed by Arbitration Claimants. (Sellers, Joseph) (Entered: 07/07/2011)
07/15/2011	190	TEXT ORDER : Defendant's response to the objections [188, 189] to the proposed protective order [187-1] shall be served and filed by July 22, 2011, after which time the proposed protective order will be taken under advisement without further oral argument unless deemed necessary by the court. SO ORDERED.Issued by Hon. Jeremiah J. McCarthy on 7/15/11. (DAZ) (Entered: 07/15/2011)
07/15/2011	<u>191</u>	MEMORANDUM/BRIEF re 184 Terminate Hearings, Status Conference,, 185 Order,, [Letter Brief to Magistrate Judge McCarthy] by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 - June 23, 2011 Transcript of Proceedings Before The Honorable Jeremiah J. McCarthy, U.S. Magistrate Judge)(Maatman, Gerald) (Entered: 07/15/2011)
07/15/2011	<u>192</u>	MEMORANDUM in Support re <u>85</u> MOTION to Bifurcate <i>and Coordinate to further clarify</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Margaret A. Malloy)(Malloy, Margaret) (Entered: 07/15/2011)
07/15/2011	<u>193</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>192</u> Memorandum in Support of Motion (Malloy, Margaret) (Entered: 07/15/2011)
07/19/2011	<u>194</u>	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to <u>192</u> Memorandum in Support of Motion <i>corrected declaration with exhibits</i> . (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 07/19/2011)
07/20/2011	<u>195</u>	REPLY/RESPONSE to re <u>188</u> Response to Motion, <u>189</u> Response to Motion, 190 Order, Set Deadlines/Hearings,, <i>Pursuant to the Court's July 15, 2011 Text Order</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 07/20/2011)
07/20/2011	196	TEXT ORDER: At defendant's request, it may submit a letter response, not to exceed 7 pages, to plaintiff's submission concerning the bifurcation of plaintiff's individual claims of unlawful discrimination under Section 706 of Title VII of the Civil Rights Act of 1964 <u>194</u> by July 27, 2011. Issued by Hon. Jeremiah J. McCarthy on 7/20/11. (LL) (Entered: 07/20/2011)
07/27/2011	<u>197</u>	REPLY/RESPONSE to re <u>194</u> Amended Document, 196 Text Order, Set Deadlines/Hearings,, <u>192</u> Memorandum in Support of Motion [<i>Sterling's Letter Brief in Response to the EEOC's July 15 and 19 Pleadings</i>] filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 07/27/2011)
07/27/2011		E-Filing Notification: <u>197</u> REPLY/RESPONSE to re <u>194</u> Amended Document, 196 Text Order, (Maatman, Gerald) **Item filed without proof of service** (DZ) (Entered: 07/28/2011)
07/28/2011	<u>198</u>	CERTIFICATE OF SERVICE by Sterling Jewelers, Inc. re <u>197</u> Reply/Response, (Maatman, Gerald) (Entered: 07/28/2011)

10/07/2011	<u>199</u>	DECISION AND ORDER: Stage I will not include discovery into the EEOC's Section 706 claims. A status conference with the parties to finalize the deadlines of the Stage I Case Management Order will be held on November 3, 2011 at 11:00 a.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. Signed by Hon. Jeremiah J. McCarthy on 10/7/11. (DAZ) (Entered: 10/07/2011)
10/07/2011	<u>200</u>	SUPPLEMENTAL DECISION AND ORDER : Proposed Confidentiality Order <u>187</u> is amended as set forth herein. Sterling shall submit a confidentiality order for Judge McCarthy's signature with the modifications set forth herein by October 17, 2011. Signed by Hon. Jeremiah J. McCarthy on 10/7/11. (DAZ) (Entered: 10/07/2011)
11/03/2011	201	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Status Conference held on 11/3/2011. Text order to follow. Appearances: Margaret Ann Malloy and Elizabeth Grossman (both via telephone) for Plaintiff; Scott Patrick Horton and Gerald L. Maatman, Jr. for Defendant. (DAZ) (Entered: 11/03/2011)
11/03/2011	202	TEXT ORDER : In accordance with today's proceeding, the parties shall confer and submit a mutually agreeable Case Management Order based on the terms agreed to at today's proceeding. If the parties are unable to submit a mutually agreeable Case Management Order, they shall identify the areas of disagreement and their respective positions. On or before November 15, 2011, the parties shall submit letters (not to exceed 10 pages) identifying any pending discovery disputes. A telephonic conference to discuss these discovery issues is set for November 18, 2011 at 2:00 p.m. The parties shall provide the court with telephone numbers where they can be contacted. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 11/3/11. (DAZ) (Entered: 11/03/2011)
11/07/2011	<u>203</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 11/3/11, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Michelle L. McLaughlin, Telephone number (716) 332-3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/28/2011. Redacted Transcript Deadline set for 12/8/2011. Release of Transcript Restriction set for 2/6/2012. (DZ) (Entered: 11/07/2011)
11/07/2011	<u>204</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 5/17/11, before Magistrate Judge McCarthy. Court Reporter/Transcriber Michelle L. McLaughlin, RPR, Telephone number 716-332-3560. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 11/28/2011. Redacted Transcript Deadline set for 12/8/2011. Release of Transcript Restriction set for 2/6/2012. (SG) (Entered: 11/07/2011)
11/08/2011	<u>205</u>	MOTION to appear pro hac vice (<i>Daniel B. Klein</i>) (Filing fee \$ 75 receipt number 0209-1484070.) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Gerald L. Maatman, Jr. in Support of Pro Hac Vice Motion, # <u>2</u> Declaration of Daniel B. Klein)(Maatman, Gerald) (Entered: 11/08/2011)
11/08/2011	<u>206</u>	CONFIDENTIALITY ORDER. Signed by Hon. Jeremiah J. McCarthy on 11/8/11. (DAZ) (Entered: 11/09/2011)
11/08/2011		E-Filing Notification: <u>205</u> MOTION to appear pro hac vice (<i>Daniel B. Klein</i>) (Filing fee \$ 75 receipt number 0209-1484070.) ***Motion papers missing Attorney Oath, civility principles oath, attorney database information form and CM/ECF registration form. When you re-file complete motion, please select motion category but use "APPEAR" event so that you do not pay a second fee.** (DZ) (Entered: 11/09/2011)
11/09/2011	<u>207</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Daniel B. Klein</i>) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Affidavit of Gerald L. Maatman, Jr., # <u>2</u> Affidavit of Daniel B. Klein, # <u>3</u> Attorney's Oath, # <u>4</u> Civility Principles Oath of Office, # <u>5</u> Attorney Database Form, # <u>6</u> ECF Registration Form)(Maatman, Gerald) (Entered: 11/09/2011)
11/10/2011		Confirmed admission to the Massachusetts State Bar for attorney Daniel B. Klein (DZ) (Entered: 11/10/2011)

11/14/2011	208	TEXT ORDER: The November 18, 2011 conference is adjourned to November 28, 2011 at 2:00 p.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. The deadline for the parties' letter submissions 202 is extended November 22, 2011. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 11/14/11. (DAZ) (Entered: 11/14/2011)
11/17/2011	<u>209</u>	Stage I Discovery Plan and Case Management Order. Signed by Hon. Jeremiah J. McCarthy on 11/17/11. (DAZ) (Entered: 11/18/2011)
11/17/2011	<u>210</u>	ORDER granting <u>207</u> Motion for Leave to Appear Pro Hac Vice (Daniel B. Klein, Esq.). Signed by Hon. Jeremiah J. McCarthy on 11/17/11. (DAZ) (Entered: 11/18/2011)
11/28/2011	211	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 11/28/2011 re discovery issues. Appearances: Margaret Ann Malloy and Ami T. Sanghvi for Plaintiff; Gerald L. Maatman Jr. for Defendant. (DAZ) (Entered: 11/28/2011)
11/29/2011	212	TEXT ORDER : In accordance with yesterday's telephonic conference, the parties shall file and serve motions concerning the pending discovery disputes by December 28, 2011; responses shall be filed and served by January 11, 2012; after which time the motions will be taken under advisement without oral argument unless deemed necessary by the court. In the interim, the parties shall continue to confer in an attempt to narrow the pending discovery disputes. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 11/29/11. (DAZ) (Entered: 11/29/2011)
12/01/2011	<u>213</u>	MOTION to Opt Out of ADR by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Declaration of Gerald L. Maatman, Jr. in Support of Motion to Opt Out of ADR)(Maatman, Gerald) (Entered: 12/01/2011)
12/20/2011	<u>214</u>	ORDER denying <u>213</u> Motion to Opt Out of ADR and setting schedule for selection of mediator and mediation session. Signed by Hon. Richard J. Arcara on 12/20/2011. (JMB) (Entered: 12/20/2011)
12/28/2011	<u>215</u>	MOTION to Compel <i>Discovery</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 12/28/2011)
12/28/2011	<u>216</u>	MEMORANDUM/BRIEF re <u>215</u> MOTION to Compel <i>Discovery</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – EEOCs Responses To Sterlings First Set Of Requests For Production, # <u>2</u> Exhibit B – EEOCs Responses To Sterlings First Set Of Interrogatories, # <u>3</u> Exhibit C – Transcript From November 3, 2011 Hearing Before Magistrate Judge McCarthy, # <u>4</u> Exhibit D – Correspondence To Margaret Malloy Of The EEOC From Gerald L. Maatman, Jr. Dated April 12, 2011, # <u>5</u> Exhibit E – Correspondence To Gerald L. Maatman, Jr. From Margaret Malloy Dated June 15, 2011)(Maatman, Gerald) (Entered: 12/28/2011)
12/28/2011	<u>217</u>	AFFIDAVIT in Support re <u>216</u> Memorandum/Brief,, <u>215</u> MOTION to Compel <i>Discovery</i> (<i>Affidavit and Certification of Compliance of Gerald L. Maatman, Jr.</i>) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 To Maatman Affidavit Correspondence To Margaret Malloy Of The EEOC From Gerald L. Maatman, Jr. Dated April 6, 2010, # <u>2</u> Exhibit 2 To Maatman Affidavit Correspondence To Margaret Malloy Of The EEOC From Gerald L. Maatman, Jr. Dated July 28, 2010, # <u>3</u> Exhibit 3 To Maatman Affidavit Correspondence To Margaret Malloy Of The EEOC From Gerald L. Maatman, Jr. Dated April 12, 2011, # <u>4</u> Exhibit 4 To Maatman Affidavit Correspondence To Gerald L. Maatman, Jr. From Margaret Malloy Dated June 15, 2011)(Maatman, Gerald) (Entered: 12/28/2011)
12/28/2011	<u>218</u>	First MOTION to Compel <i>Sterling Jewelers to provide discovery responses</i> by Equal Employment Opportunity Commission.(Malloy, Margaret) (Entered: 12/28/2011)
12/28/2011	<u>219</u>	DECLARATION signed by Margaret A. Malloy re <u>218</u> First MOTION to Compel <i>Sterling Jewelers to provide discovery responses</i> filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Sterling 26(a) disclosures, # <u>2</u> Exhibit EEOC 1st Requests for Production, # <u>3</u> Exhibit EEOC 2d RFPs, # <u>4</u> Exhibit EEOC 1st Interrogatories, # <u>5</u> Exhibit Sterling Response 1st RFPs, # <u>6</u> Exhibit EEOC email to Sterling, # <u>7</u> Exhibit Sterling to EEOC correspondence, # <u>8</u> Exhibit Sterling Response EEOC 2d RFPs, # <u>9</u> Exhibit Sterling Response EEOC 1st Interrogatories, # <u>10</u> Exhibit EEOC to Sterling

		correspondence, # <u>11</u> Exhibit Sterling to EEOC correspondence, # <u>12</u> Exhibit EEOC to Sterling Correspondence, # <u>13</u> Exhibit EEOC to Sterling correspondence, # <u>14</u> Exhibit EEOC to Sterling correspondence, # <u>15</u> Exhibit EEOC to Judge McCarthy, # <u>16</u> Exhibit Sterling to Judge McCarthy, # <u>17</u> Exhibit EEOC to Judge McCarthy, # <u>18</u> Exhibit EEOC to Sterling correspondence, # <u>19</u> Exhibit Sterling to EEOC correspondenc, # <u>20</u> Exhibit EEOC to Sterling correspondence, # <u>21</u> Exhibit EEOC to Sterling correspondence, # <u>22</u> Exhibit redacted documents (submitted in camera), # <u>23</u> Exhibit Duling court order)(Malloy, Margaret) (Entered: 12/28/2011)
12/28/2011	<u>220</u>	MEMORANDUM in Support re <u>218</u> First MOTION to Compel <i>Sterling Jewelers to provide discovery responses</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 12/28/2011)
12/28/2011	<u>221</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>220</u> Memorandum in Support of Motion, <u>219</u> Declaration,,,,, <u>218</u> First MOTION to Compel <i>Sterling Jewelers to provide discovery responses</i> (Malloy, Margaret) (Entered: 12/28/2011)
12/28/2011		E-Filing Notification: <u>217</u> AFFIDAVIT in Support re <u>216</u> Memorandum/Brief., <u>215</u> MOTION to Compel <i>Discovery (Affidavit and Certification of Compliance of Gerald L. Maatman, Jr.)</i> by Sterling Jewelers, Inc.. **AFFIDAVIT to be re-filed as notary signature and commission information missing; updated proof of service required.(DZ) (Entered: 12/29/2011)
12/29/2011	<u>222</u>	AFFIDAVIT in Support re <u>217</u> Affidavit in Support., <u>216</u> Memorandum/Brief., <u>215</u> MOTION to Compel <i>Discovery</i> , E-Filing Notification, (<i>Affidavit and Certification of Compliance of Gerald L. Maatman, Jr. notarized</i>) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Maatman, Gerald) (Entered: 12/29/2011)
01/11/2012	<u>223</u>	MEMORANDUM IN OPPOSITION re <u>218</u> First MOTION to Compel <i>Sterling Jewelers to provide discovery responses</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Correspondence To Gerald L. Maatman, Jr. From Margaret Malloy Dated May 12, 2011, # <u>2</u> Exhibit 2 – Correspondence To Margaret Malloy Of The EEOC From Gerald L. Maatman, Jr. Dated June 21, 2011, # <u>3</u> Exhibit 3 – Declaration Of Michael D. Lynch, # <u>4</u> Exhibit 4 – Declaration Of Gerald L. Maatman, Jr.)(Maatman, Gerald) (Entered: 01/11/2012)
01/11/2012	<u>224</u>	MEMORANDUM in Opposition re <u>215</u> MOTION to Compel <i>Discovery</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 01/11/2012)
01/11/2012	<u>225</u>	DECLARATION re <u>215</u> MOTION to Compel <i>Discovery</i> filed by Equal Employment Opportunity Commission <i>in Opposition to Sterling's Motion</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Mediation Agreements, # <u>2</u> Exhibit EEOC 26(a) disclosures, # <u>3</u> Exhibit Sterling's RFPs, # <u>4</u> Exhibit Sterling's Interrogatories, # <u>5</u> Exhibit 2/11/10 corresp. from EEOC to Sterling, # <u>6</u> Exhibit 2/24/10 corresp. from Sterling to EEOC, # <u>7</u> Exhibit 3/3/10 corresp. from EEOC to MJ McCarthy, # <u>8</u> Exhibit 3/5/10 corresp. from Sterling to MJ McCarthy, # <u>9</u> Exhibit 3/4/10 corresp. from EEOC to Sterling, # <u>10</u> Exhibit 3/9/10 corresp. from Sterling to EEOC, # <u>11</u> Exhibit EEOC priv. log, # <u>12</u> Exhibit 3/23/10 corresp. from EEOC to Sterling, # <u>13</u> Exhibit 3/17/10 corresp. from EEOC to MJ McCarthy, # <u>14</u> Exhibit 3/19/10 corresp. from Sterling to McCarthy, # <u>15</u> Exhibit 4/6/10 corresp. from Sterling to EEOC, # <u>16</u> Exhibit 4/7/10 corresp. from EEOC to Sterling, # <u>17</u> Exhibit 4/7/10 corresp. from EEOC to MJ McCarthy, # <u>18</u> Exhibit 4/7/10 corresp. from Sterling to MJ McCarthy, # <u>19</u> Exhibit 4/9/10 corresp. from EEOC to MJ McCarthy, # <u>20</u> Exhibit 4/14/10 corresp. from Sterling to MJ McCarthy, # <u>21</u> Exhibit 7/30/10 corresp. from EEOC to Sterling, # <u>22</u> Exhibit 6/15/11 corresp. from EEOC to Sterling, # <u>23</u> Exhibit 11/18/11 corresp. from EEOC to Sterling, # <u>24</u> Exhibit 11/22/11 corresp. from EEOC to MJ McCarthy, # <u>25</u> Exhibit 11/22/11 corresp. from Sterling to MJ McCarthy, # <u>26</u> Exhibit 12/6/11 corresp. from EEOC to Sterling)(Malloy, Margaret) (Entered: 01/11/2012)
01/11/2012	<u>226</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>224</u> Memorandum in Opposition to Motion, <u>225</u> Declaration,,,,,, (Malloy, Margaret) (Entered: 01/11/2012)

01/31/2012	<u>227</u>	Stipulation–Selection of Mediator by Equal Employment Opportunity Commission, Sterling Jewelers, Inc.(Malloy, Margaret) (Entered: 01/31/2012)
01/31/2012	<u>228</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>227</u> Stipulation–Selection of Mediator (Malloy, Margaret) (Entered: 01/31/2012)
03/06/2012		*** MOTION TERMINATED *** <u>187</u> Motion for Protective Order. (DAZ) (Entered: 03/06/2012)
03/08/2012	<u>229</u>	MOTION for Protective Order <i>Sealing Exhibit 22 to EEOC's Motion to Compel</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Memorandum in Support of Defendant's Motion for Protective Order Sealing Exhibit 22 to EEOC's Motion to Compel)(Maatman, Gerald) (Entered: 03/08/2012)
03/13/2012	<u>230</u>	TEXT ORDER : Responses to defendant's motion for a protective order <u>229</u> shall be served and filed by March 26, 2012; defendant's reply, if any, shall be served and filed by April 2, 2012, after which time the motion <u>229</u> will be taken under advisement without oral argument unless requested by one of the parties or deemed necessary by the court. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 3/13/12. (DAZ) (Entered: 03/13/2012)
03/16/2012	<u>231</u>	Mediation Certification by Mediator Hunter Hughes. (JEC) (Entered: 03/16/2012)
03/20/2012	<u>232</u>	NOTICE of Appearance by Donald Eppers on behalf of Arbitration Claimants (Eppers, Donald) (Entered: 03/20/2012)
03/26/2012	<u>233</u>	DECLARATION signed by Margaret A. Malloy re <u>229</u> MOTION for Protective Order <i>Sealing Exhibit 22 to EEOC's Motion to Compel</i> filed by Equal Employment Opportunity Commission <i>Response</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 03/26/2012)
04/16/2012	<u>234</u>	MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Affidavit Declaration Of Gerald L. Maatman, Jr. (and Index of Exhibits to Declaration), # <u>2</u> Exhibit 1 – Notice of Rule 30(b)(6) Deposition of the EEOC, # <u>3</u> Exhibit 2 – February 9, 2012 letter from Sterling to EEOC, # <u>4</u> Exhibit 3 – February 17, 2012 letter from EEOC to Sterling, # <u>5</u> Exhibit 4 – February 27, 2012 letter from Sterling to EEOC, # <u>6</u> Exhibit 5 – April 8, 2012 letter from EEOC to Sterling, # <u>7</u> Exhibit 6 – Deposition transcript of Jennifer Carlo)(Maatman, Gerald) (Entered: 04/16/2012)
04/16/2012	<u>235</u>	MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Gerald L. Maatman, Jr. (and Index of Exhibits to Declaration), # <u>2</u> Exhibit 1 – EEOC Compliance Manual, Vol. 1, Sec. 22.2, # <u>3</u> Exhibit 2 – Defendants First Set of Requests for Production of Documents, # <u>4</u> Exhibit 3 – EEOCs Amended Privilege Log, dated November 18, 2011, # <u>5</u> Exhibit 4 – Deposition transcript of Jennifer Carlo, # <u>6</u> Exhibit 5 – February 9, 2012 letter from Sterling to EEOC, # <u>7</u> Exhibit 6 – February 17, 2012 letter from EEOC to Sterling, # <u>8</u> Exhibit 7 – February 27, 2012 letter from Sterling to EEOC, # <u>9</u> Exhibit 8 – March 13, 2012 letter from EEOC to Sterling)(Maatman, Gerald) (Entered: 04/16/2012)
04/19/2012	<u>236</u>	RESPONSE to Motion re <u>235</u> MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>), <u>234</u> MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6)</i>)

		<i>Deposition Testimony from the EEOC) and Request for Court Conference</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 04/19/2012)
04/19/2012	237	TEXT ORDER : A conference concerning the pending discovery disputes ([234, 235]) is set for April 27, 2012 at 2:30 p.m. In advance of the conference, plaintiff may make written submissions addressing the current discovery disputes. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/19/12. (DAZ) (Entered: 04/19/2012)
04/25/2012	<u>238</u>	REPLY/RESPONSE to re <u>236</u> Response to Motion,,,,, (<i>Letter to Magistrate Judge McCarthy in response to the EEOC's letter to the Court of April 19, 2012</i>) filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – Declaration of Gerald L. Maatman, Jr., # <u>2</u> Certificate of Service)(Maatman, Gerald) (Entered: 04/25/2012)
04/26/2012	<u>239</u>	RESPONSE to Motion re <u>235</u> MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel the EEOC to Fully Respond to Pending Discovery Requests</i>), <u>234</u> MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) MOTION to Compel (<i>Pre–Motion Letter To Magistrate Judge McCarthy Requesting the Court to Compel Further Rule 30(b)(6) Deposition Testimony from the EEOC</i>) filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Malloy, Margaret) (Entered: 04/26/2012)
04/27/2012	240	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 4/27/2012. Discussed motions 229, 234 and 235. Decision to follow. Appearances: Margaret Ann Malloy for Plaintiff and Gerald L. Maatman Jr. for Defendant. (DAZ) (Entered: 04/27/2012)
04/27/2012	241	TEXT ORDER : In accordance with today's telephonic conference, defendant's unopposed motion for a protective order <u>229</u> is granted and defendant's motions to compel [234, 235] are denied, without prejudice to its right to file a formal motion by May 3, 2012. If such a motion is filed, plaintiff's response shall be filed by May 18, 2012, and the motion will be deemed submitted on the papers. A further status conference is set for June 12, 2012 at 4:00 p.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 4/27/12. (DAZ) (Entered: 04/27/2012)
04/27/2012		CALENDAR EVENT: Status Conference set for 6/12/2012 at 04:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 04/27/2012)
05/03/2012	<u>242</u>	MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 05/03/2012)
05/03/2012	<u>243</u>	MEMORANDUM in Support re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Gerald L. Maatman, Jr., # <u>2</u> Exhibit 1 to Declaration of Gerald L. Maatman, Jr. – Notice of Rule 30(b)(6) Deposition of the EEOC, # <u>3</u> Exhibit 2 to Declaration of Gerald L. Maatman, Jr. – Deposition Transcript of Jennifer Carlo, # <u>4</u> Exhibit 3 to Declaration of Gerald L. Maatman, Jr. – EEOC Compliance Manual, # <u>5</u> Exhibit 4 to to Declaration of Gerald L. Maatman, Jr. – Defendant's First Set of Requests for Production of Documents)(Maatman, Gerald) (Entered: 05/03/2012)

05/03/2012	<u>244</u>	CONTINUATION OF EXHIBITS to <u>243</u> Memorandum in Support of Motion,, (<i>Compendium of Unreported Case Cited in Defendant's Memorandum of Law in Support of Its Motion to Compel</i>). (Maatman, Gerald) (Entered: 05/03/2012)
05/07/2012	<u>245</u>	ORDER approving Stipulation for Discovery of Electronically Stored Information. Signed by Hon. Jeremiah J. McCarthy on 5/2/12. (DAZ) (Entered: 05/07/2012)
05/14/2012	<u>246</u>	DECISION AND ORDER granting in part and denying in part [215, 218] cross-motions to compel. Signed by Hon. Jeremiah J. McCarthy on 5/14/12. (DAZ) (Entered: 05/14/2012)
05/18/2012	<u>247</u>	Plaintiff's Motion for an Extension of Time to File Response/Reply (Margaret A. Malloy, Esq.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 05/18/2012)
05/18/2012	248	TEXT ORDER granting <u>247</u> Motion for Extension of Time to File Response/Reply. Response/Reply due by 6/1/2012. Issued by Hon. Jeremiah J. McCarthy on 5/18/12. (DAZ) (Entered: 05/18/2012)
06/01/2012	<u>249</u>	DECLARATION signed by Margaret A. Malloy re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Equal Employment Opportunity Commission in <i>Opposition To Sterling's Motion to Compel</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Charges of Discrimination, # <u>2</u> Exhibit Letter from Investigator, # <u>3</u> Exhibit Letter from Sterling to EEOC re. Mediation, # <u>4</u> Exhibit Mediation Agreement, # <u>5</u> Exhibit Letter from Sterling to EEOC, # <u>6</u> Exhibit Tolling Agreement, # <u>7</u> Exhibit Letter from EEOC to Sterling Requesting Information, # <u>8</u> Exhibit EEOC Determination, # <u>9</u> Exhibit Deposition Notice, # <u>10</u> Exhibit Letter from EEOC to Sterling Re Invest. Memos, # <u>11</u> Exhibit Letter from EEOC to Sterling Re. Deposition, # <u>12</u> Exhibit Email correspondence, # <u>13</u> Exhibit Email correspondence, # <u>14</u> Exhibit Deposition Exhibit: Incomplete Fax, # <u>15</u> Exhibit Complete Fax, # <u>16</u> Exhibit Questions Invading Deliberative Process, # <u>17</u> Exhibit Carlo Declaration)(Malloy, Margaret) (Entered: 06/01/2012)
06/01/2012	<u>250</u>	MEMORANDUM in Opposition re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 06/01/2012)
06/01/2012	<u>251</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>250</u> Memorandum in Opposition to Motion, <u>249</u> Declaration,,,, (Malloy, Margaret) (Entered: 06/01/2012)
06/04/2012	<u>252</u>	DECLARATION signed by Margaret A. Malloy re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Equal Employment Opportunity Commission in <i>Opposition to Sterling's Motion to Compel</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Charges of Discrimination, # <u>2</u> Exhibit EEOC Letter to Sterling requesting information, # <u>3</u> Exhibit Sterling Letter to EEOC inviting mediation, # <u>4</u> Exhibit Mediation Agreement, # <u>5</u> Exhibit Sterling letter to EEOC re Determination, # <u>6</u> Exhibit Tolling Agreement, # <u>7</u> Exhibit EEOC letter to Sterling re mediation unsuccessful, # <u>8</u> Exhibit EEOC Determination, # <u>9</u> Exhibit Notice of Rule 30(b)(6) deposition, # <u>10</u> Exhibit EEOC letter to Sterling re. internal documents, # <u>11</u> Exhibit EEOC to Sterling re. 30(b)(6) deposition, # <u>12</u> Exhibit EEOC and Sterling email correspondence, # <u>13</u> Exhibit EEOC and Sterling email correspondence, # <u>14</u> Exhibit deposition exhibit – fax attachment, # <u>15</u> Exhibit fax with cover sheet, # <u>16</u> Exhibit Questions invading GDP, # <u>17</u> Exhibit Declaration of Jennifer Carlo)(Malloy, Margaret) (Entered: 06/04/2012)
06/04/2012	<u>253</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>252</u> Declaration,,,, (Malloy, Margaret) (Entered: 06/04/2012)
06/05/2012	<u>254</u>	Sterling's Motion for Leave to Serve a Reply (Gerald L. Maatman, Jr., Esq.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 06/05/2012)
06/05/2012	<u>255</u>	ORDER granting <u>254</u> Sterling's Motion for Leave to Serve A Reply. Signed by Hon. Jeremiah J. McCarthy on 6/5/11. (DAZ) (Entered: 06/05/2012)

06/06/2012	256	TEXT ORDER. Sterling's reply, if any, in further support of its motion to compel <u>242</u> shall be served and filed by June 8, 2012 and the EEOC's sur-reply, if any, shall be served and filed by June 15, 2012, after which time the motion <u>242</u> will be deemed submitted on the papers. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/5/2012. (CMD) (Entered: 06/06/2012)
06/07/2012		CALENDAR EVENT: The June 12, 2012 conference is rescheduled from 4:00 p.m. to 3:30 p.m. before Hon. Jeremiah J. McCarthy. (CMD) (Entered: 06/07/2012)
06/08/2012	<u>257</u>	REPLY/RESPONSE to re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> , <u>243</u> Memorandum in Support of Motion,, <i>Defendant's Reply In Support Of Its Motion To Compel Further Rule 30(b)(6) Deposition Testimony And Other Discovery From The EEOC</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Compendium Of Unreported Cases Cited In Defendant's Reply In Support Of Its Motion To Compel Further Rule 30(b)(6) Deposition Testimony And Other Discovery From The EEOC)(Maatman, Gerald) (Entered: 06/08/2012)
06/12/2012	258	CALENDAR EVENT: Status Conference reset from 6/12/2012 to 6/25/2012 at 04:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 06/12/2012)
06/15/2012	<u>259</u>	DECLARATION signed by Jacqueline A. Berrien re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Equal Employment Opportunity Commission <i>In Opposition to Sterling's Motion to Compel</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit exhibit 1, # <u>2</u> Exhibit exhibit 2)(Malloy, Margaret) (Entered: 06/15/2012)
06/15/2012	<u>260</u>	RESPONSE in Opposition re <u>242</u> MOTION to Compel <i>Further Rule 30(b)(6) Deposition Testimony and Other Discovery from the EEOC</i> filed by Equal Employment Opportunity Commission. (Malloy, Margaret) (Entered: 06/15/2012)
06/15/2012	<u>261</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission re <u>259</u> Declaration, <u>260</u> Response in Opposition to Motion (Malloy, Margaret) (Entered: 06/15/2012)
06/25/2012	262	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 6/25/2012. Discussed letters recently submitted to the court. A further status conference is set for July 31, 2012 at 2:00 p.m. Appearances: Margaret Ann Malloy for Plaintiff and Gerald L. Maatman Jr. for Defendant. (DAZ) Modified on 10/24/2012 to correct date of proceeding (DAZ). (Entered: 06/26/2012)
06/26/2012		CALENDAR EVENT: Status Conference set for 7/31/2012 at 02:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 06/26/2012)
07/30/2012	263	TEXT ORDER : The July 31, 2012 status conference is adjourned to August 15, 2012 at 2:00 p.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 7/30/12. (DAZ) (Entered: 07/30/2012)
07/30/2012	<u>264</u>	NOTICE of Appearance by Anna Marie Pohl on behalf of Equal Employment Opportunity Commission (Pohl, Anna) (Entered: 07/30/2012)
07/31/2012	<u>265</u>	NOTICE of Appearance by Jeffrey C. Burstein on behalf of Equal Employment Opportunity Commission (Burstein, Jeffrey) (Entered: 07/31/2012)
08/13/2012		*** MOTION TERMINATED*** <u>215</u> Motion to Compel granted in part and denied in part per <u>246</u> . (DAZ) (Entered: 08/13/2012)
08/15/2012	266	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument held on 8/15/2012. Parties discussed their positions as presented in various letters to the Court. Suggestions taken as to the best way to proceed with discovery issues/disputes. Parties to file formal motions on their positions, briefing schedule set. Oral argument scheduled for October 10, 2012 at 2:00 p.m. An in camera document review set for August 21, 2012 at 2:00 p.m. APPEARANCES: Nora E. Curtin, Anna Marie Pohl, Jeffrey C. Burstein for Plaintiff (all via telephone) and Gerald L. Maatman, Jr. (via telephone) for Defendant. (FTR GOLD) (DAZ) Modified on 8/16/2012 to correct date (DAZ). (Entered: 08/16/2012)

08/15/2012		CALENDAR EVENT : Status Conference set for 8/21/2012 at 02:00 PM before Hon. Jeremiah J. McCarthy. Oral Argument set for 10/10/2012 at 02:00 PM before Hon. Jeremiah J. McCarthy. Modified on 8/16/2012 to correct date from 9/21/12 to 8/21/12 (DAZ). (Entered: 08/16/2012)
08/16/2012		CALENDAR EVENT: Status Conference set for 8/21/2012 at 02:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 08/16/2012)
08/16/2012	267	TEXT ORDER : For the reasons stated on the record at yesterday's proceeding, defendant's motion to compel <u>242</u> is denied to the extent that it seeks a further Fed. R. Civ. P. 30(b)(6) deposition, without prejudice to renewal if defendant is unable to obtain the information it seeks though the other available discovery mechanisms. The parties agree that the court may conduct an <i>ex parte</i> sealed proceeding with plaintiff to discuss its redactions based on the government deliberative process privilege to the documents (Berrien Declaration <u>259</u> , Exhibit 1) that have been produced for my <i>in camera</i> review. This telephonic conference is scheduled for August 21, 2012 at 2:00 p.m. The court will initiate the call. Since the parties have been unable to resolve their disputes concerning plaintiff's proposed Fed. R. Evid. 502(d) stipulation and the propriety of defendant's assertion of the "Resolve privilege", plaintiff shall file its motions concerning these issues by September 19, 2012, defendant's responses shall be filed by October 1, 2012, plaintiff's replies, if any, shall be filed by October 5, 2012, and oral argument is scheduled for October 10, 2012 at 2:00 p.m. In the interim, the parties shall meet and confer concerning the defendant's document redactions and response to Interrogatory No. 2. If these issues remain in dispute or there are other discovery issues that the parties seek to raise, they shall make written submissions, which will be addressed at the October 10, 2012 proceeding. The parties may participate in the October 10, 2012 proceeding by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 8/16/12. (DAZ) (Entered: 08/16/2012)
08/21/2012	268	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: In Camera Review held on 8/21/2012. Sealed proceedings. APPEARANCES: Nora E. Curtin for Plaintiff. (FTR GOLD) (DAZ) (Entered: 08/22/2012)
09/18/2012	<u>269</u>	MOTION to Compel by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support EEOC brief in support of motion to compel, # <u>2</u> Affidavit Declaration of Jeffrey Burstein in support of motion, # <u>3</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 09/18/2012)
09/19/2012	<u>270</u>	MOTION Entry of Rule 502d Order by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(Pohl, Anna) (Entered: 09/19/2012)
09/20/2012	271	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 9/20/2012 re depositions and possible protective order. APPEARANCES: Jeffrey Burstein for Plaintiff; Daniel B. Klein for Defendant; Sam Smith for Arbitrators/Intervenor Plaintiffs. (FTR GOLD) (DAZ) (Entered: 09/20/2012)
09/21/2012	272	TEXT ORDER : Yesterday, defendant orally moved for a protective order under Fed. R. Civ. P. 26(c)(1)(E) to bar Dawn Souto-Coons from attending a deposition that was occurring in this case. After considering the case authority cited by both parties, defendant's oral motion is denied for the reasons set forth on the record at yesterday's proceeding. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 9/21/12. (DAZ) (Entered: 09/21/2012)
10/01/2012	<u>273</u>	MEMORANDUM in Opposition re <u>270</u> MOTION Entry of Rule 502d Order <i>Defendant's Opposition To The EEOC's Motion For An Order Pursuant To Rule 502(d) Of The Federal Rules Of Evidence</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 10/01/2012)
10/01/2012	<u>274</u>	MEMORANDUM in Opposition re <u>270</u> MOTION Entry of Rule 502d Order <i>Compendium Of Unreported Cases Cited In Defendant's Opposition To The EEOC's Motion For An Order Pursuant To Rule 502(d) Of The Federal Rules Of Evidence</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit Tab 1, # <u>2</u> Exhibit Tab 2, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit)(Maatman, Gerald) (Entered: 10/01/2012)

10/01/2012	<u>275</u>	MEMORANDUM IN OPPOSITION re <u>269</u> MOTION to Compel <i>EEOC's Second Motion For An Order Compelling Sterling To Provide Discovery Responses</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 10/01/2012)
10/01/2012	<u>276</u>	DECLARATION re <u>275</u> Memorandum in Opposition filed by Sterling Jewelers, Inc. of <i>Gerald L. Maatman, Jr.</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Maatman, Gerald) (Entered: 10/01/2012)
10/01/2012	<u>277</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>275</u> Memorandum in Opposition <i>Compendium Of Unrelated Cases Cited In Defendant's Memorandum In Opposition To EEOC's Second Motion For An Order Compelling Sterling To Provide Discovery Responses</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> TAB 1, # <u>2</u> TAB 2)(Maatman, Gerald) (Entered: 10/01/2012)
10/04/2012	<u>278</u>	REPLY to Response to Motion re <u>269</u> MOTION to Compel <i>Reply Brief of EEOC in Support of Second Motion to Compel</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 10/04/2012)
10/05/2012	<u>279</u>	REPLY to Response to Motion re <u>270</u> MOTION Entry of Rule 502d Order <i>EEOC's Reply Memorandum in Support of its Motion for Order Pursuant to Rule 502(d) of the Federal Rules of Evidence</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Pohl, Anna) (Entered: 10/05/2012)
10/10/2012	280	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument on motions [269, 270] held on 10/10/2012. Arguments presented. Court grants <u>269</u> and denies <u>270</u> for reasons stated on the record. Parties also discussed issues raised in several letters to the court. Parties wish to extend CMO deadlines but cannot agree on length of extension. Oral argument on this issue set for 11/13/12 at 4:00 p.m. Text order to follow. APPEARANCES: Anna Marie Pohl and Jeffrey C. Burstein (both parties via telephone) for Plaintiff; Gerald L. Maatman, Jr. (via telephone) for Defendant. (DAZ) (Entered: 10/10/2012)
10/10/2012		CALENDAR EVENT: Oral Argument set for 11/13/2012 at 04:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 10/10/2012)
10/11/2012	281	TEXT ORDER : For the reasons set forth on the record at yesterday's proceeding, the EEOC's motion to compel <u>269</u> documents withheld by Sterling under the purported RESOLVE privilege is granted, and its motion <u>270</u> for the entry of a Fed. R. Evid. 502(d) order is denied, without prejudice. At yesterday's proceeding the parties also agreed that I could determine, without the benefit of a formal motion, the EEOC's request for unredacted copies of the documents identified in the attachment to its September 18, 2012 letter to the court. For the reasons stated on the record, this request is granted, and Sterling shall produce these documents in unredacted form. As noted in my May 14, 2012 Decision and Order (<u>246</u> , p. 23), the parties shall meet and confer about the EEOC's ability to contact the Sterling employees identified in these documents, and if the parties are unable to reach an agreement on this issue, an appropriate motion may be filed. The parties having agreed that I could conduct an ex parte sealed proceeding with plaintiff to discuss its redactions based on the government deliberative process privilege 267 , and this ex parte proceeding having been conducted on August 21, 2012 <u>268</u> , I conclude that the EEOC's redactions are proper under this privilege. The remaining deadlines of the Stage I Discovery Plan and Case Management Order <u>209</u> will be extended, but the duration of this extension will not be determined until this issue is briefed. By October 26, 2012 the EEOC shall file its motion to extend the Case Management Order deadlines, Sterling shall respond by November 7, 2012, and oral argument is scheduled for November 13, 2012 at 4:00 p.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 10/11/12. (DAZ) (Entered: 10/11/2012)
10/18/2012	<u>282</u>	STIPULATION <i>Regarding Treatment of Depositions in the Above-Captioned Matter</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 10/18/2012)
10/25/2012	<u>283</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/25/12, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number (843) 723-2208. Transcript may be viewed at the court public

		terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 11/15/2012. Redacted Transcript Deadline set for 11/26/2012. Release of Transcript Restriction set for 1/23/2013. (DZ) (Entered: 10/25/2012)
10/26/2012	<u>284</u>	MOTION for Extension of Time to Complete Discovery by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support Brief of EEOC in support of motion to extend Case Management Order deadlines, # <u>2</u> Affidavit Declaration of Jeffrey Burstein in support of motion for extension, # <u>3</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 10/26/2012)
11/07/2012	285	TEXT ORDER : At the parties' request, oral argument of the EEOC's motion to extend the Case Management Order deadlines <u>284</u> is rescheduled from November 13, 2012 to November 15, 2012 at 10:00 a.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 11/7/12. (DAZ) (Entered: 11/07/2012)
11/07/2012	<u>286</u>	MEMORANDUM in Opposition re <u>284</u> MOTION for Extension of Time to Complete Discovery (<i>of the Deadlines in the Case Management Order</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 11/07/2012)
11/07/2012	<u>287</u>	DECLARATION signed by Gerald L. Maatman, Jr. re <u>286</u> Memorandum in Opposition to Motion filed by Sterling Jewelers, Inc. filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – E-mail (w/o attachments) From Sterling To The EEOC Dated May 9, 2012, # <u>2</u> Exhibit B – E-mail From The EEOC Sterling To Sterling Dated May 15, 2012, # <u>3</u> Exhibit C – Letter From The EEOC To The Court Dated September 12, 2012, # <u>4</u> Exhibit D – Letter From Sterling To The Court Dated September 19, 2012, # <u>5</u> Exhibit E – Letter (w/o attachments) From The EEOC To Sterling Dated September 29, 2012, # <u>6</u> Exhibit F – Letter From Sterling To The EEOC Dated October 9, 2012)(Maatman, Gerald) (Entered: 11/07/2012)
11/15/2012	288	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument held on 11/15/2012. Court grants motion <u>284</u> to extend the deadlines of the Case Management Order for four months. An Amended CMO to follow. APPEARANCES: Jeffrey C. Burstein (via telephone) for Plaintiff and Gerald L. Maatman Jr. (via telephone) for Defendant. (DAZ) (Entered: 11/15/2012)
11/19/2012	<u>289</u>	AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Dispositive Motions due by 10/14/2013. In the event that no dispositive motions are filed, the parties will contact Judge Arcara's chambers no later than 10/17/2013 to schedule a trial date as to Stage I. Signed by Hon. Jeremiah J. McCarthy on 11/16/12. (DAZ) (Entered: 11/19/2012)
11/19/2012		*** MOTION TERMINATED *** <u>284</u> Motion for Extension of Time to Complete Discovery resolved per <u>289</u> . (DAZ) (Entered: 11/19/2012)
11/29/2012	<u>290</u>	MOTION to Withdraw as Attorney by Sterling Jewelers, Inc..(Zashin, Stephen) (Entered: 11/29/2012)
11/30/2012	<u>291</u>	STIPULATION re <u>290</u> MOTION to Withdraw as Attorney <i>Consent to Motion to Withdraw as Counsel</i> by Sterling Jewelers, Inc.. (Zashin, Stephen) (Entered: 11/30/2012)
12/03/2012	<u>292</u>	ORDER granting <u>290</u> Motion to Withdraw as Attorney (Zashin & Rich Co.). Signed by Hon. Jeremiah J. McCarthy on 12/3/12. (DAZ) (Entered: 12/06/2012)
12/11/2012	<u>293</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Telephone Status Conference Proceedings held on October 10, 2012, before Judge Jeremiah McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number 843-723-2208. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 1/1/2013. Redacted Transcript Deadline set for 1/11/2013. Release of Transcript Restriction set for 3/11/2013. (DLC) (Entered: 12/11/2012)

12/28/2012	294	TEXT ORDER : Defendant's letter response to plaintiff's December 27, 2012 correspondence to the court shall be served by January 7, 2013, and a conference concerning these submissions is scheduled for January 9, 2013 at 3:30 p.m. The parties may participate via telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 12/28/12. (DAZ) (Entered: 12/28/2012)
01/02/2013	<u>295</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 8/15/12, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Christi A. Macri, Telephone number christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/23/2013. Redacted Transcript Deadline set for 2/4/2013. Release of Transcript Restriction set for 4/2/2013. (DZ) (Entered: 01/02/2013)
01/09/2013	296	MINUTE ENTRY AND ORDER : Proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 1/9/2013. APPEARANCES: Jeffrey Burstein for Plaintiff and Gerald L. Maatman, Jr. for Defendant. As indicated at today's conference, based upon my review of the parties' letter submissions, I am inclined to extend the deadlines of the Amended Stage I Case Management Order <u>289</u> by 60 days, but will reserve my determination until after defendant completes its document production, which it has indicated will occur by the end of January. A further telephonic conference is set for February 6, 2013 at 1:15 p.m. to address this issue. The parties shall provide my chambers with telephone numbers where they can be reached. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 1/9/13. (FTR GOLD) (DAZ) (Entered: 01/09/2013)
01/09/2013		CALENDAR EVENT: Status Conference set for 2/6/2013 at 01:15 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 01/09/2013)
01/22/2013	297	TEXT ORDER : By January 24, 2013, defendant shall submit a letter response to plaintiff's January 18, 2013 correspondence to the court, and a conference concerning these submissions is set for January 29, 2013 at 3:00 p.m. The parties may participate by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 1/22/13. (DAZ) (Entered: 01/22/2013)
02/06/2013	298	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 2/6/2013. Court addresses various discovery issues and grants 90 day extension of Case Management Order deadlines. Deadlines discussed and set. Schedule to follow. A further status conference is set for 2/22/13 at 4:00 p.m. APPEARANCES: Judith Ann Biltekoff, Jeffrey C. Burstein for Plaintiff; Gerald L. Maatman, Jr. for Defendant. (FTR GOLD) (DAZ) (Entered: 02/06/2013)
02/06/2013		CALENDAR EVENT: Status Conference set for 2/22/2013 at 04:00 PM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 02/06/2013)
02/06/2013	299	TEXT ORDER : In accordance with today's telephonic conference, the fact discovery deadline of the Amended Stage I Case Management Order <u>289</u> is extended to May 13, 2013, and the subsequent deadlines will be proportionally extended in a Second Amended Stage I Case Management Order. By February 11, 2013 the EEOC shall submit a letter responding to the discovery dispute identified in Sterling's January 28, 2013 letter; by February 14, 2013 Sterling may reply; and a conference concerning these submissions, as well as the right of Sterling to depose EEOC investigator David Ging, is set for February 22, 2013 at 4:00 p.m. The parties may participate by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 2/6/13. (DAZ) (Entered: 02/06/2013)
02/07/2013	<u>300</u>	SECOND AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Dispositive

		Motions due by 1/14/2014. In the event that no dispositive motions are filed, a status conference is set for 1/17/2014 at 09:00 AM before Hon. Jeremiah J. McCarthy. Signed by Hon. Jeremiah J. McCarthy on 2/7/13. (DAZ) (Entered: 02/07/2013)
02/07/2013	<u>301</u>	Emergency MOTION to Strike <i>Certain Deposition Testimony And Questioning</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 02/07/2013)
02/07/2013	<u>302</u>	MEMORANDUM in Support re <u>301</u> Emergency MOTION to Strike <i>Certain Deposition Testimony And Questioning</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 02/07/2013)
02/07/2013	<u>303</u>	DECLARATION re <u>302</u> Memorandum in Support of Motion filed by Sterling Jewelers, Inc. . (Attachments: # <u>1</u> Exhibit A – May 14, 2002 Decision And Order, # <u>2</u> Exhibit B – Transcript Excerpts From February 6, 2013 Deposition Of Barry Fernholz)(Maatman, Gerald) (Entered: 02/07/2013)
02/08/2013	304	TEXT ORDER : The EEOC's response to Sterling's motion to strike <u>301</u> shall be served and filed by March 1, 2013; Sterling's reply, if any, shall be served and filed by March 8, 2013, after which time the motion <u>301</u> will be taken under advisement without oral argument unless requested by one of the parties or deemed necessary by the court. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 2/8/13. (DAZ) (Entered: 02/08/2013)
02/22/2013		CALENDAR EVENT : The February 22, 2013 Status Conference is reset for February 26, 2013 at 10:00 AM before Hon. Jeremiah J. McCarthy. (DAZ) (Entered: 02/22/2013)
02/25/2013		*** MOTION TERMINATED *** <u>242</u> Motion to Compel granted in part and denied in part per 267 . (DAZ) (Entered: 02/25/2013)
02/26/2013	305	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 2/26/2013. Court addresses issues raised in the letters dated 1/18, 1/24, 1/28, 2/11 and 2/14. Court advises that letters discussed today will be put on the docket. Parties to file motions outlining the issues raised in these letters and/or any additional issues that need to be brought before the court. Court sets briefing schedule. Plaintiff has concerns about upcoming deposition and requests that the court be available during that deposition if a problem arises. Court agrees. Parties should contact the court with possible dates. APPEARANCES: Anna Marie Pohl, Jeffrey Burstein for Plaintiff; Gerald Maatman, Jr. for Defendant. (FTR GOLD) (DAZ) (Entered: 02/26/2013)
02/26/2013	306	TEXT ORDER : As agreed to by the parties at today's telephonic conference, Sterling shall file its motion concerning the EEOC's assertion of the common interest doctrine and sufficiency of the EEOC's privilege log entry nos. 95, 96 and 97 by March 8, 2013; the EEOC shall file its response by March 22, 2013; and Sterling's reply, if any, shall be filed by March 29, 2013, after which time the motion will be taken under advisement without oral argument unless deemed necessary by the court. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 2/26/13. (DAZ) (Entered: 02/26/2013)
03/01/2013	<u>307</u>	MEMORANDUM in Opposition re <u>301</u> Emergency MOTION to Strike <i>Certain Deposition Testimony And Questioning</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit Declaration of Jeffrey Burstein, # <u>2</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 03/01/2013)
03/04/2013	308	TEXT ORDER : The parties having advised me that Sterling has no objection to the request of the arbitration claimants in <i>Jock, et al. v. Sterling Jewelers Inc.</i> (AAA Case No. 1 160 00655 08) to intervene in this case for the limited purpose of opposing Sterling's motion challenging the EEOC's assertion of the common interest doctrine 306 , this request is granted. The arbitration claimants may file and serve a response to Sterling's motion by March 22, 2013, and participate in the oral argument (if any) of this motion. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 3/4/13. (DAZ) (Entered: 03/04/2013)
03/04/2013	<u>309</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 2/26/13, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Debra L. Potocki, Telephone number (843) 723-2208. Transcript may be viewed at the court public

		terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/25/2013. Redacted Transcript Deadline set for 4/4/2013. Release of Transcript Restriction set for 6/3/2013. (DZ) (Entered: 03/04/2013)
03/08/2013	<u>310</u>	DEFENDANT'S REPLY re: <u>307</u> Plaintiff's Memorandum in Opposition re: <u>301</u> Defendant's Motion to Strike Certain Deposition Testimony and Questioning (Maatman, Gerald) Text Modified on 3/8/2013 (DZ). (Entered: 03/08/2013)
03/08/2013	<u>311</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>310</u> Reply/Response <i>Compendium Of Unreported Cases Cited In Defendant's Reply In Support Of Its Emergency Motion To Strike Certain Deposition Testimony And Questioning</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 03/08/2013)
03/08/2013		E-Filing Notification: <u>310</u> DEFENDANT'S REPLY ** Text Modified on 3/8/2013 to link entry to correct documents (DZ). (Entered: 03/08/2013)
03/08/2013	<u>312</u>	MOTION to Compel <i>Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i> by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 03/08/2013)
03/08/2013	<u>313</u>	MEMORANDUM in Support re <u>312</u> MOTION to Compel <i>Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 03/08/2013)
03/08/2013	<u>314</u>	DECLARATION re <u>313</u> Memorandum in Support of Motion filed by Sterling Jewelers, Inc. (<i>Gerald L. Maatman, Jr.</i>). (Attachments: # <u>1</u> Exhibit 1 – EEOC's Response To Sterling's First Set Of Requests For Production Of Documents, # <u>2</u> Exhibit 2 – Plaintiff's Current Privilege Log Dated June 27, 2012, # <u>3</u> Exhibit 3 – Letter From Gerald L. Maatman, Jr. To Margaret Malloy Of The EEOC Dated June 12, 2012, # <u>4</u> Exhibit 4 – Letter From Margaret Malloy Of The EEOC To Gerald L. Maatman, Jr. Dated July 10, 2012, # <u>5</u> Exhibit 5 – Letter From Gerald L. Maatman, Jr. To Jeffrey Burstein Of The EEOC Dated November 8, 2012, # <u>6</u> Exhibit 6 – Letter From Anna Pohl Of The EEOC To Gerald L. Maatman, Jr. Dated November 13, 2012, # <u>7</u> Exhibit 7 – E-Mail (Without Attachments) From Kalpana Kotagal To Gerald L. Maatman, Jr. Dated October 19, 2012, # <u>8</u> Exhibit 8 – E-mail (Without Attachments) From Timothy Wojtuski Of The EEOC To Gerald L. Maatman, Jr. Dated November 1, 2012, # <u>9</u> Exhibit 9 – E-mail Correspondence Exchanged Between Counsel For The EEOC And Claimant's Counsel Produced To Sterling On October 19, 2012, # <u>10</u> Exhibit 10 – Correspondence Exchanged Between Counsel For The EEOC And Claimant's Counsel Produced To Sterling On November 1, 2012, # <u>11</u> Exhibit 11 – The EEOC's Letter Submission To The Court Dated February 11, 2013, # <u>12</u> Exhibit 12 – Sterling's Letter Submission To The Court Dated August 13, 2012)(Maatman, Gerald) (Entered: 03/08/2013)
03/08/2013	<u>315</u>	CONTINUATION OF EXHIBITS to <u>313</u> Memorandum in Support of Motion <i>To Compel Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i> . (Maatman, Gerald) (Entered: 03/08/2013)
03/22/2013	<u>316</u>	RESPONSE in Opposition re <u>312</u> MOTION to Compel <i>Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i> filed by Arbitration Claimants. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Affidavit, # <u>3</u> Exhibit 1 to Declaration, # <u>4</u> Exhibit 2 to Declaration, # <u>5</u> Exhibit 3 to Declaration, # <u>6</u> Exhibit 4 to Declaration, # <u>7</u> Exhibit 5 to Declaration, # <u>8</u> Exhibit 6 to Declaration)(Sellers, Joseph) (Entered: 03/22/2013)
03/22/2013	<u>317</u>	MEMORANDUM in Opposition re <u>312</u> MOTION to Compel <i>Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit Declaration of Anna M. Pohl, # <u>2</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 03/22/2013)
03/29/2013	<u>318</u>	REPLY/RESPONSE to re <u>317</u> Memorandum in Opposition to Motion, <u>316</u> Response in Opposition to Motion, [<i>Defendant's Reply In Support Of Its Motion To Compel <u>312</u> Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97</i>] filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 03/29/2013)

03/29/2013	<u>319</u>	CONTINUATION OF EXHIBITS to <u>318</u> Reply/Response, <i>Defendant's Reply In Support Of Its Motion To Compel Production Of Information Withheld Pursuant To EEOC Privilege Log Entry Nos. 95-97.</i> (Maatman, Gerald) (Entered: 03/29/2013)
04/12/2013	<u>320</u>	THIRD AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Dispositive Motions due by 1/14/2014. In the event that no dispositive motions are filed, a trial date status conference is set for 1/17/2014 at 09:00AM before Hon. Jeremiah J. McCarthy. Signed by Hon. Jeremiah J. McCarthy on 4/12/13. (DAZ) (Entered: 04/12/2013)
04/30/2013	<u>321</u>	MOTION to Withdraw as Attorney <i>Jenny R. Yang</i> by Arbitration Claimants.(Sellers, Joseph) (Entered: 04/30/2013)
05/03/2013	<u>322</u>	ORDER granting <u>321</u> Motion to Withdraw as Attorney. Attorney Jenny R. Yang terminated. Signed by Hon. Jeremiah J. McCarthy on 5/2/13. (DAZ) (Entered: 05/03/2013)
05/20/2013	<u>323</u>	Joint Motion to Extend Case Management Order Deadlines (Jeffrey Burstein, Esq.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 05/20/2013)
05/20/2013	<u>324</u>	FOURTH AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Dispositive Motions due by 2/4/2014. In the event that no dispositive motions are filed, a trial date status conference is set for 2/7/2014 at 09:00AM before Hon. Jeremiah J. McCarthy. Signed by Hon. Jeremiah J. McCarthy on 5/20/13. (DAZ) (Entered: 05/20/2013)
05/20/2013		*** MOTION TERMINATED *** <u>323</u> Joint Motion for Extension of Case Management Order Deadlines granted per <u>324</u> . (DAZ) (Entered: 05/20/2013)
06/11/2013	325	TEXT ORDER : The EEOC's letter response to Sterling's June 11, 2013 letter concerning the Fed. R. Civ. P. 30(b)(6) deposition of David Ging shall be submitted by June 18, 2013, and a conference concerning these submissions is set for June 20, 2013 at 1:00 p.m. The parties may participate by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 6/11/13. (DAZ) (Entered: 06/11/2013)
06/20/2013		CALENDAR EVENT : The June 20, 2013 conference is rescheduled for June 26, 2013 at 3:00 p.m. (DAZ) (Entered: 06/20/2013)
06/26/2013	326	Minute Entry for proceedings held before Hon. Jeremiah J. McCarthy: Telephonic Status Conference held on 6/26/2013 to address issues raised in recently received correspondence. APPEARANCES: Nora E. Curtin and Judith Ann Biletkoff for Plaintiff; Gerald L. Maatman Jr. for Defendant. (FTR GOLD) (DAZ) (Entered: 06/27/2013)
07/08/2013	<u>327</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/26/13, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Christi A. Macri, Telephone number christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/29/2013. Redacted Transcript Deadline set for 8/8/2013. Release of Transcript Restriction set for 10/7/2013. (DZ) (Entered: 07/08/2013)
07/29/2013	<u>328</u>	The parties' joint motion to extend the Stage I Case Management Order Deadlines (Gerald L. Maatman, Jr.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 07/29/2013)
07/29/2013	<u>329</u>	FIFTH AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Signed by Hon.

		Jeremiah J. McCarthy on 7/29/13. (DAZ) (Entered: 07/29/2013)
07/29/2013		*** MOTION TERMINATED *** <u>328</u> Motion to Extend Stage I Case Management Order granted per <u>329</u> . (DAZ) (Entered: 07/29/2013)
08/01/2013	<u>330</u>	The parties' joint motion to extend the Stage I Case Management Order Deadlines (Gerald L. Maatman, Jr.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 08/02/2013)
08/02/2013	<u>331</u>	SIXTH AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Signed by Hon. Jeremiah J. McCarthy on 8/2/13. (DAZ) (Entered: 08/02/2013)
08/02/2013	<u>332</u>	ORDER granting <u>330</u> Motion for Extension of Case Management Order Deadlines. See <u>331</u> . Signed by Hon. Jeremiah J. McCarthy on 8/2/13. (DAZ) (Entered: 08/02/2013)
08/07/2013	<u>333</u>	NOTICE of Appearance by Jeffrey S. Klein on behalf of Sterling Jewelers, Inc. (Klein, Jeffrey) (Entered: 08/07/2013)
09/03/2013	<u>334</u>	DECISION AND ORDER denying <u>301</u> Motion to Strike. Signed by Hon. Jeremiah J. McCarthy on 9/3/13. (DAZ) (Entered: 09/03/2013)
09/20/2013	<u>335</u>	MOTION to Withdraw as Attorney <i>Lisa M. Mezzetti</i> by Arbitration Claimants.(Sellers, Joseph) (Entered: 09/20/2013)
09/25/2013	<u>336</u>	MOTION for Partial Summary Judgment by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 09/25/2013)
09/25/2013	<u>337</u>	MEMORANDUM in Support re <u>336</u> MOTION for Partial Summary Judgment filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 09/25/2013)
09/25/2013	<u>338</u>	STATEMENT OF FACTS <i>In Support Of Its Motion For Partial Summary Judgment</i> by Sterling Jewelers, Inc. Related document: <u>336</u> Motion for Partial Summary Judgment, <u>337</u> Memorandum in Support of Motion. (Maatman, Gerald) (Entered: 09/25/2013)
09/25/2013	<u>339</u>	DECLARATION re <u>336</u> MOTION for Partial Summary Judgment , <u>337</u> Memorandum in Support of Motion, <u>338</u> Statement of Facts filed by Sterling Jewelers, Inc. <i>of Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – Laryssa Jock Charge, # <u>2</u> Exhibit B B – Jacquelyn Boyle Charge, # <u>3</u> Exhibit C – Marie Wolf Charge, # <u>4</u> Exhibit D – Carol King Charge, # <u>5</u> Exhibit E – Dawn Souto–Coons Charge, # <u>6</u> Exhibit F – Judy Reed Charge, # <u>7</u> Exhibit G – Assignment of Maria Melendez, # <u>8</u> Exhibit H – January 19, 2006 Letter from Melendez to Sterling, # <u>9</u> Exhibit I – April 21, 2006 Letter from Melendez to Sterling, # <u>10</u> Exhibit J – Letter from The EEOC Confirming Transfer of Files, # <u>11</u> Exhibit K – Lisa Follett Charge, # <u>12</u> Exhibit L – Carolyn Morse Charge, # <u>13</u> Exhibit M – Christy Davies Charge, # <u>14</u> Exhibit N – Linda Rhodes Charge, # <u>15</u> Exhibit O – Tana Shiver Charge, # <u>16</u> Exhibit P – Leighla Smith Charge, # <u>17</u> Exhibit Q – Christina Rodrigues Charge, # <u>18</u> Exhibit R – Gloria Pagan Charge, # <u>19</u> Exhibit S – Maria House Charge, # <u>20</u> Exhibit T – Sharon Scroggins Charge, # <u>21</u> Exhibit U – Denise Maddox Charge, # <u>22</u> Exhibit V – ina Shahmirzadi Charge, # <u>23</u> Exhibit W – Lisa McConnell Charge, # <u>24</u> Exhibit X – Deposition of David Ging, # <u>25</u> Exhibit Y – Deposition of Jennifer Carlo, # <u>26</u> Exhibit Z – Correspondence from Ging to Sterling dated October 2, 2006, # <u>27</u> Exhibit AA – Correspondence from Sterling to Ging dated October 19, 2006, # <u>28</u> Exhibit BB – Correspondence from Ging to Sterling dated December 5, 2006, # <u>29</u> Exhibit CC – Correspondence from Sterling to Ging dated December 27, 2006, # <u>30</u> Exhibit DD – Transcript of the June 23, 2011 Hearing, # <u>31</u> Exhibit EE – Undated Correspondence from Ging to Sterling, # <u>32</u> Exhibit FF – Exhibit N to Claimants Correspondence to Ging dated November 30, 2007, # <u>33</u> Exhibit GG – Deposition of Dr. Louis Lanier, # <u>34</u> Exhibit HH – EEOCs Letter of Determination dated January 3, 2008, # <u>35</u> Exhibit II – Transcript of the June 26, 2013 Hearing, # <u>36</u> Exhibit JJ – June 11, 2013 Letter from Sterling to the Court, # <u>37</u> Exhibit KK – EEOC–Promulgated Management Directive 110 Chapter 6: Development of Impartial and Appropriate Factual Records, # <u>38</u> Exhibit LL – January 10, 2013 Letter from the EEOC to

		Sterling)(Maatman, Gerald) (Entered: 09/25/2013)
09/25/2013	<u>340</u>	CONTINUATION OF EXHIBITS to <u>339</u> Declaration,,,,,, <u>336</u> MOTION for Partial Summary Judgment , <u>337</u> Memorandum in Support of Motion, <u>338</u> Statement of Facts . (Maatman, Gerald) (Entered: 09/25/2013)
09/27/2013	341	TEXT ORDER : Plaintiff's response to defendant's motion for partial summary judgment <u>336</u> shall be filed by October 23, 2013; defendant's reply, if any, shall be filed by November 6, 2013; and oral argument is scheduled for November 20, 2013 at 2:00 p.m. The parties may participate by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 9/27/13. (DAZ) (Entered: 09/27/2013)
09/27/2013	<u>342</u>	Plaintiff's Motion To Adjust Briefing Schedule (Jeffrey Burstein) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 09/27/2013)
09/27/2013	<u>343</u>	ORDER granting <u>342</u> Plaintiff's Motion to Adjust Briefing Schedule. Signed by Hon. Jeremiah J. McCarthy on 9/27/13. (DAZ) (Entered: 09/27/2013)
09/27/2013	<u>344</u>	-CLERK TO FOLLOW UP- ORDER granting <u>335</u> Motion to Withdraw as Attorney (Lisa M. Mezzetti). Signed by Hon. Jeremiah J. McCarthy on 9/27/13. (DAZ) (Entered: 09/30/2013)
09/27/2013	<u>345</u>	Parties' Motion to Extend the Case Management Order deadlines (Gerald L. Maatman, Jr.)(Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 09/30/2013)
09/27/2013	<u>346</u>	ORDER granting <u>345</u> Parties' Motion to Extend the Case Management Order Deadlines. Signed by Hon. Jeremiah J. McCarthy on 9/27/13. (DAZ) (Entered: 09/30/2013)
10/01/2013	<u>347</u>	MOTION to Continue by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support)(Burstein, Jeffrey) (Entered: 10/01/2013)
10/01/2013	<u>348</u>	SEVENTH AMENDED STAGE I CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Dispositive Motions due by 2/4/2014. Signed by Hon. Jeremiah J. McCarthy on 10/1/13. (DAZ) (Entered: 10/02/2013)
10/03/2013	349	TEXT ORDER : Defendant's response to plaintiff's motion for a continuance <u>347</u> shall be filed by October 9, 2013, after which time the motion will be taken under advisement. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 10/3/13. (DAZ) (Entered: 10/03/2013)
10/09/2013	<u>350</u>	RESPONSE in Opposition re <u>347</u> MOTION to Continue <i>By EEOC Due To Government Shutdown</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 10/09/2013)
10/09/2013	<u>351</u>	DECLARATION re <u>350</u> Response in Opposition to Motion filed by Sterling Jewelers, Inc. <i>Of Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – EEOCs Shutdown Contingency Plan In The Event Of Lapsed Appropriations, # <u>2</u> Exhibit B – ECF Docket Of EEOC v. Wal-Mart Stores East, LP, # <u>3</u> Exhibit C – October 4, 2013 Court Order In EEOC v. Olympia Constr., Inc., # <u>4</u> Exhibit D – October 2, 2013 Court Order In EEOC v. Wells Fargo Bank, N.A., # <u>5</u> Exhibit E – October 2, 2013 Court Order In EEOC v. Midway Neurological and Rehab. Ctr., LLC, # <u>6</u> Exhibit F – October 4, 2013 Court Order In EEOC v. Signal Intl, LLC, # <u>7</u> Exhibit G – October 2, 2013 Court Order In United States v. US Airways Grp., Inc., # <u>8</u> Exhibit H – October 2, 2013 Court Order In Priests For Life v. U.S. Dept Of Health & Human Servs., # <u>9</u> Exhibit I – October 2, 2013 Minute Entry For Proceedings In Saint Alphonsus Med. Ctr. v. St Lukes Health Sys. Ltd., # <u>10</u> Exhibit J – October 3, 2013 Court Order In Little River Band Of Ottawa v. NLRB, # <u>11</u> Exhibit K – October 2, 2013 Court Order In United States v. Bazaarvoice, Inc., # <u>12</u> Exhibit L – U.S. Department Of Justices Motion For A Stay Of Litigation In Light Of Lapse Of Appropriations)(Maatman, Gerald) . (Entered: 10/09/2013)

10/11/2013	352	TEXT ORDER : Before me is plaintiff's motion for a continuance until appropriations for funding Federal Government operations are restored <u>347</u> . Having considered the parties' submissions [347, 350, 351], the motion <u>347</u> is granted in part and denied in part. This action is hereby stayed until November 12, 2013, without prejudice to plaintiff's right to apply for a further stay. However, the parties are cautioned that if any additional stay is granted (and I make no promises), it will not be lengthy or of indefinite duration. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 10/11/13. (DAZ) (Entered: 10/11/2013)
10/17/2013	353	TEXT ORDER : The parties have contacted my chambers and agree to the following revised briefing schedule: Plaintiff's response to defendant's motion for partial summary judgment <u>336</u> shall be filed by November 15, 2013; defendant's reply, if any, shall be filed by December 2, 2013; and oral argument is scheduled for December 9, 2013 at 2:00 p.m. The parties may participate by telephone upon advance notice to chambers. The court will initiate the call. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 10/17/13. (DAZ) (Entered: 10/17/2013)
11/07/2013	<u>354</u>	Sterling's Motion to Seal Docket <u>339</u> (Gerald L. Maatman, Jr.) (Letter motion filed with permission of Hon. Jeremiah J. McCarthy).(DAZ) (Entered: 11/08/2013)
11/08/2013	<u>355</u>	ORDER granting <u>354</u> Motion to Seal Dkt. <u>339</u> . Signed by Hon. Jeremiah J. McCarthy on 11/8/13. (DAZ) (Entered: 11/08/2013)
11/12/2013	<u>356</u>	DECLARATION re <u>336</u> MOTION for Partial Summary Judgment , <u>338</u> Statement of Facts filed by Sterling Jewelers, Inc. of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit A – Laryssa Jock Charge, # <u>2</u> Exhibit B – Jacquelyn Boyle Charge, # <u>3</u> Exhibit C – Marie Wolf Charge, # <u>4</u> Exhibit D – Carol King Charge, # <u>5</u> Exhibit E – Dawn Souto-Coons Charge, # <u>6</u> Exhibit F – Judy Reed Charge, # <u>7</u> Exhibit G – Assignment of Maria Melendez, # <u>8</u> Exhibit H – January 19, 2006 Letter from Melendez to Sterling, # <u>9</u> Exhibit I – April 21, 2006 Letter from Melendez to Sterling, # <u>10</u> Exhibit J – Letter from The EEOC Confirming Transfer of Files)(Maatman, Gerald) (Entered: 11/12/2013)
11/12/2013	<u>357</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>337</u> Memorandum in Support of Motion, <u>356</u> Declaration,, <u>336</u> MOTION for Partial Summary Judgment , <u>338</u> Statement of Facts of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit K – Lisa Follett Charge, # <u>2</u> Exhibit L – Carolyn Morse Charge, # <u>3</u> Exhibit M – Christy Davies Charge, # <u>4</u> Exhibit N – Linda Rhodes Charge, # <u>5</u> Exhibit O – Tana Shiver Charge, # <u>6</u> Exhibit P – Leighla Smith Charge, # <u>7</u> Exhibit Q – Khristina Rodrigues Charge)(Maatman, Gerald) (Entered: 11/12/2013)
11/12/2013	<u>358</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>337</u> Memorandum in Support of Motion, <u>356</u> Declaration,, <u>336</u> MOTION for Partial Summary Judgment , <u>357</u> Continuation of Exhibits,, <u>338</u> Statement of Facts of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit R – Gloria Pagan Charge, # <u>2</u> Exhibit S – Maria House Charge, # <u>3</u> Exhibit T – Sharon Scroggins Charge, # <u>4</u> Exhibit U – Denise Maddox Charge, # <u>5</u> Exhibit V – ina Shahmirzadi Charge, # <u>6</u> Exhibit W – Lisa McConnell Charge, # <u>7</u> Exhibit X – Deposition of David Ging, # <u>8</u> Exhibit Y – Deposition of Jennifer Carlo, # <u>9</u> Exhibit Z – Correspondence from Ging to Sterling dated October 2, 2006)(Maatman, Gerald) (Entered: 11/12/2013)
11/12/2013	<u>359</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>358</u> Continuation of Exhibits,, <u>337</u> Memorandum in Support of Motion, <u>356</u> Declaration,, <u>336</u> MOTION for Partial Summary Judgment , <u>357</u> Continuation of Exhibits,, <u>338</u> Statement of Facts of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit AA – Correspondence from Sterling to Ging dated October 19, 2006, # <u>2</u> Exhibit BB – Correspondence from Ging to Sterling dated December 5, 2006, # <u>3</u> Exhibit CC – Correspondence from Sterling to Ging dated December 27, 2006, # <u>4</u> Exhibit DD – Transcript of the June 23, 2011 Hearing, # <u>5</u> Exhibit EE – Undated Correspondence from Ging to Sterling)(Maatman, Gerald) (Entered: 11/12/2013)
11/12/2013	<u>360</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>359</u> Continuation of Exhibits,, <u>358</u> Continuation of Exhibits,, <u>337</u> Memorandum in Support of Motion, <u>356</u> Declaration,, <u>336</u> MOTION for Partial Summary Judgment , <u>357</u> Continuation of Exhibits,, <u>338</u> Statement of Facts of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit FF – Exhibit N to Claimants Correspondence to Ging dated November 30, 2007, # <u>2</u> Exhibit GG – Deposition of Dr. Louis Lanier, # <u>3</u>

		Exhibit HH – EEOCs Letter of Determination dated January 3, 2008, # <u>4</u> Exhibit II – Transcript of the June 26, 2013 Hearing, # <u>5</u> Exhibit JJ – June 11, 2013 Letter from Sterling to the Court)(Maatman, Gerald) (Entered: 11/12/2013)
11/12/2013	<u>361</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>359</u> Continuation of Exhibits., <u>356</u> Declaration., <u>336</u> MOTION for Partial Summary Judgment , <u>358</u> Continuation of Exhibits., <u>357</u> Continuation of Exhibits., <u>360</u> Continuation of Exhibits., <u>337</u> Memorandum in Support of Motion, <u>338</u> Statement of Facts of <i>Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit KK – EEOC–Promulgated Management Directive 110 Chapter 6: Development of Impartial and Appropriate Factual Records, # <u>2</u> Exhibit LL – January 10, 2013 Letter from the EEOC to Sterling)(Maatman, Gerald) (Entered: 11/12/2013)
11/15/2013	<u>362</u>	MEMORANDUM in Opposition re <u>336</u> MOTION for Partial Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Statement of Undisputed Facts, # <u>2</u> Certificate of Service)(Pohl, Anna) (Entered: 11/15/2013)
11/15/2013	<u>363</u>	DECLARATION re <u>362</u> Memorandum in Opposition to Motion, <u>336</u> MOTION for Partial Summary Judgment filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit)(Pohl, Anna) (Entered: 11/15/2013)
11/15/2013	<u>364</u>	CONTINUATION OF EXHIBITS RE: <u>363</u> DECLARATION re <u>336</u> MOTION for Partial Summary Judgment , <u>363</u> Declaration, filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Errata, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit)(Pohl, Anna) Modified on 11/18/2013 (DZ). (Entered: 11/15/2013)
11/15/2013	<u>365</u>	CONTINUATION OF EXHIBITS RE: <u>363</u> DECLARATION re <u>336</u> MOTION for Partial Summary Judgment , <u>363</u> Declaration, filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit)(Pohl, Anna) Modified on 11/18/2013 (DZ). (Entered: 11/15/2013)
11/15/2013		E–Filing Notification: <u>364</u> , <u>365</u> text modified to indicate entries are CONTINUATION OF EXHIBITS RE: <u>363</u> DECLARATION (DZ) (Entered: 11/18/2013)
12/02/2013	<u>366</u>	REPLY/RESPONSE to re <u>362</u> Memorandum in Opposition to Motion (<i>Defendant's Reply To Plaintiff's Opposition To Defendant's Motion For Partial Summary Judgment</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/02/2013)
12/02/2013	<u>367</u>	DECLARATION re <u>366</u> Reply/Response filed by Sterling Jewelers, Inc. (<i>Supplemental Declaration of Gerald L. Maatman, Jr.</i>) filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Maatman, Gerald) (Entered: 12/02/2013)
12/02/2013	<u>368</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>367</u> Declaration, <u>366</u> Reply/Response (<i>Compendium of Unreported Cases Cited In Defendant's Reply To Plaintiff's Opposition To Defendant's Motion For Partial Summary Judgment</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/02/2013)
12/02/2013	<u>369</u>	REPLY/RESPONSE to re <u>362</u> Memorandum in Opposition to Motion (<i>Defendant's Response to Plaintiff's Additional Material Facts Contained In The EEOC's Statement of Facts In Opposition to Defendant's Motion For Partial Summary Judgment</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/02/2013)
12/02/2013	<u>370</u>	MOTION to Strike <u>362</u> Memorandum in Opposition to Motion (<i>Notice Of Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>) by Sterling Jewelers, Inc..(Maatman, Gerald) (Entered: 12/02/2013)
12/02/2013	<u>371</u>	MEMORANDUM in Support re <u>370</u> MOTION to Strike <u>362</u> Memorandum in Opposition to Motion (<i>Notice Of Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>) (<i>Defendant's Memorandum Of Law In Support Of Its Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald)

		(Entered: 12/02/2013)
12/02/2013	<u>372</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>370</u> MOTION to Strike <u>362</u> Memorandum in Opposition to Motion (<i>Notice Of Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>), <u>371</u> Memorandum in Support of Motion, (<i>Compendium Of Unreported Cases Cited In Defendant's Memorandum of Law In Support Of Its Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>) filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/02/2013)
12/06/2013	<u>373</u>	STATEMENT OF FACTS <i>Amended</i> by Equal Employment Opportunity Commission Related document: <u>362</u> Memorandum in Opposition to Motion, <u>370</u> Motion to Strike, <u>336</u> Motion for Partial Summary Judgment. (Pohl, Anna) (Entered: 12/06/2013)
12/09/2013	<u>374</u>	MINUTE ENTRY AND ORDER – Proceedings held before Hon. Jeremiah J. McCarthy: Oral Argument on Motion <u>336</u> for Partial Summary Judgment. Court also set a briefing schedule on Motion <u>370</u> to Strike. Report, Recommendation and Order to be filed shortly. APPEARANCES: Anna Marie Pohl and Jeffrey C. Burstein for Plaintiff; Scott Patrick Horton and Gerald L. Maatman, Jr. for Defendant. As agreed to by the parties, plaintiff's response to defendant's motion to strike <u>370</u> shall be filed by December 16, 2013, defendant's reply, if any, shall be filed by December 23, 2013, after which time the motion <u>370</u> will be taken under advisement without oral argument unless deemed necessary by the court. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 12/9/13. (DAZ) (Entered: 12/10/2013)
12/10/2013	<u>375</u>	CONTINUATION OF EXHIBITS by Sterling Jewelers, Inc.. to <u>371</u> Memorandum in Support of Motion, <i>Exhibit A to Defendant's Memorandum of Law In Support of Motion To Strike</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/10/2013)
12/11/2013	<u>376</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 12/9/13, before Judge Jeremiah J. McCarthy. Court Reporter/Transcriber Christi A. Macri, email christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/2/2014. Redacted Transcript Deadline set for 1/13/2014. Release of Transcript Restriction set for 3/11/2014. (DZ) (Entered: 12/11/2013)
12/16/2013	<u>377</u>	MEMORANDUM in Opposition re <u>370</u> MOTION to Strike <u>362</u> Memorandum in Opposition to Motion (<i>Notice Of Motion To Strike Portions Of Plaintiff's Statement Of Facts</i>) filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Pohl, Anna) (Entered: 12/16/2013)
12/16/2013	<u>378</u>	STATEMENT OF FACTS <i>Second Amended</i> by Equal Employment Opportunity Commission Related document: <u>362</u> Memorandum in Opposition to Motion, <u>370</u> Motion to Strike, <u>377</u> Memorandum in Opposition to Motion, <u>336</u> Motion for Partial Summary Judgment. (Pohl, Anna) (Entered: 12/16/2013)
12/20/2013	<u>379</u>	NOTICE of Appearance by Konrad Batog on behalf of Equal Employment Opportunity Commission (Batog, Konrad) (Entered: 12/20/2013)
12/23/2013	<u>380</u>	REPLY/RESPONSE to re <u>377</u> Memorandum in Opposition to Motion, <u>378</u> Statement of Facts, <i>Defendant's Reply to EEOC's Opposition To Defendant's Motion To Strike Portions of EEOC's Statement of Facts</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 12/23/2013)
12/23/2013	<u>381</u>	DECLARATION re <u>380</u> Reply/Response, filed by Sterling Jewelers, Inc. <i>Second Supplemental Declaration Of Gerald L. Maatman, Jr.</i> filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Maatman, Gerald) (Entered: 12/23/2013)
01/02/2014	<u>382</u>	Letter Brief in Response to <u>336</u> Motion for Partial Summary Judgment filed by Equal Employment Opportunity Commission (Konrad Batog, Esq.) (Filed with permission of Hon. Jeremiah J. McCarthy). (DAZ) (Entered: 01/02/2014)
01/02/2014	<u>383</u>	REPORT, RECOMMENDATION AND ORDER re <u>336</u> MOTION for Partial Summary Judgment filed by Sterling Jewelers, Inc. and <u>370</u> MOTION to Strike filed

		by Sterling Jewelers, Inc. Objections to R&R due by 1/21/2014. Signed by Hon. Jeremiah J. McCarthy on 1/2/14. (DAZ) (Entered: 01/02/2014)
01/02/2014		*** MOTION TERMINATED*** <u>370</u> Motion to Strike denied as moot per <u>383</u> . (DAZ) (Entered: 01/02/2014)
01/02/2014	384	TEXT ORDER : Defendant's motion to compel <u>312</u> is denied as moot, without prejudice to reinstatement in the event that my Report, Recommendation and Order <u>383</u> is not adopted. SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 1/2/14. (DAZ) (Entered: 01/02/2014)
01/21/2014	<u>385</u>	OBJECTION to <u>383</u> Report and Recommendations by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Certificate Pursuant to Local Rule 72(c))(Batog, Konrad) (Entered: 01/21/2014)
01/24/2014	386	TEXT ORDER: As agreed to by the parties in communications with my chambers, the remaining deadlines of the Seventh Amended Case Management Order <u>348</u> will be held in abeyance pending the resolution of the objections to my January 2, 2014 Report, Recommendation and Order <u>383</u> . SO ORDERED. Issued by Hon. Jeremiah J. McCarthy on 1/24/14. (DAZ) (Entered: 01/24/2014)
01/24/2014	387	TEXT ORDER. Oral Argument is scheduled for 3/7/2014 at 9:00 AM before Hon. Richard J. Arcara as to <u>385</u> Objections filed by plaintiff Equal Employment Opportunity Commission to <u>383</u> Report, Recommendation and Order of Magistrate Judge Jeremiah J. McCarthy. Response papers are to be filed by 2/7/2014. Reply papers are to be filed by 2/18/2014. SO ORDERED. Issued by Hon. Richard J. Arcara on January 24, 2014. (DJD) (Entered: 01/24/2014)
02/07/2014	<u>388</u>	MEMORANDUM/BRIEF re <u>385</u> Objection to Report and Recommendations <i>Defendant's Response To Plaintiff's Objections To Magistrate Judge McCarthy's January 2, 2014 Report, Recommendation And Order</i> by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 02/07/2014)
02/14/2014	<u>389</u>	REPLY/RESPONSE to re <u>388</u> Memorandum/Brief, <u>385</u> Objection to Report and Recommendations filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Batog, Konrad) (Entered: 02/14/2014)
02/24/2014	<u>390</u>	NOTICE by Sterling Jewelers, Inc. re 387 Order, Set/Reset Motion and R&R Deadlines/Hearings., <i>Notice Of Defendant's Assented-To Motion To Reschedule March 7, 2014 Hearing From 9:00 a.m. to 2:00 p.m.</i> (Maatman, Gerald) (Entered: 02/24/2014)
02/28/2014	391	TEXT ORDER. Counsel for defendant Sterling Jewelers Inc. filed <u>390</u> Motion to Reschedule time of the 3/7/2014 Oral Argument. The motion is granted. The time of the Oral Argument is changed to 2:00 PM on 3/7/2014 before Hon. Richard J. Arcara. SO ORDERED. Issued by Hon. Richard J. Arcara on February 28, 2014. (DJD) (Entered: 02/28/2014)
03/07/2014	394	Minute Entry for proceedings held 3/7/2014 before Hon. Richard J. Arcara. Oral Argument is held as to <u>385</u> Objections filed by plaintiff Equal Employment Opportunity Commission to <u>383</u> Report, Recommendation and Order of Magistrate Judge Jeremiah J. McCarthy. Matters submitted. Decision is reserved. Appearances: Pltf – Konrad Batog and Anna Pohl; Deft – Gerald Maatman, Scott Horton and Jeffrey Klein (Court Reporter – Megan Pelka) (CSS – SS) (Entered: 03/11/2014)
03/10/2014	<u>392</u>	ORDER adopting Magistrate Judge Jeremiah J. McCarthy's Report and Recommendation <u>383</u> as filed on January 2, 2014 granting defendant Sterling's Motion for Partial Summary Judgment <u>336</u> in part, so that the claim of plaintiff EEOC of a nationwide pattern or practice of employment discrimination by defendant Sterling is dismissed, with prejudice, and further, that defendant Sterlings motion for partial summary judgment <u>336</u> , and defendants motion to strike <u>370</u> , are otherwise denied as moot. The Clerk of Court shall enter Judgment dismissing the action, with prejudice. –CLERK TO FOLLOW UP–. Signed by Hon. Richard J. Arcara on 3/10/2014. (LAS) (Entered: 03/10/2014)
03/11/2014	<u>393</u>	JUDGMENT that Defendant Sterling Jewelers, Inc. motion for partial summary judgment is granted in part and the claim of Plaintiff EEOC of a nationwide pattern or practice of employment discrimination by defendant Sterling is dismissed with

		prejudice. Further, Defendant Sterlings motion for partial summary judgment and Defendants motion to strike are otherwise denied as moot and this action is dismissed with prejudice. Signed by Clerk of Court, Michael J. Roemer on 3/11/14. (DZ) (Entered: 03/11/2014)
03/14/2014	<u>395</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/7/14, before Judge Richard J. Arcara. Court Reporter/Transcriber Megan E. Pelka, Telephone number (716) 364-6449. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/4/2014. Redacted Transcript Deadline set for 4/14/2014. Release of Transcript Restriction set for 6/12/2014. (DZ) (Entered: 03/14/2014)
05/12/2014	<u>396</u>	NOTICE OF APPEAL by Equal Employment Opportunity Commission re <u>393</u> Judgment, <i>EEOC Notice of Appeal</i> (Burstein, Jeffrey) Event modified to indicate entry is a "Notice of Appeal" Modified on 5/15/2014 (DZ). (Entered: 05/12/2014)
05/12/2014		E-Filing Notification: <u>396</u> NOTICE OF APPEAL by Equal Employment Opportunity Commission (Burstein, Jeffrey) **Event modified to indicate entry is a "Notice of Appeal" Copy of Notice of Appeal and docket entry forwarded to the Court of Appeals (DZ). (DZ) (Entered: 05/15/2014)
05/15/2014		Pursuant to Local Rule 12.1 of the US Court of Appeals for the Second Circuit, Forms C and D must be completed within 14 days after the filing of a notice of appeal. Forms C and D can be obtained at www.ca2.uscourts.gov. (DZ) (Entered: 05/15/2014)
05/16/2014	<u>397</u>	MOTION to Withdraw as Attorney by Equal Employment Opportunity Commission.(Pohl, Anna) (Entered: 05/16/2014)
03/24/2015	398	TEXT ORDER granting MOTION to Withdraw as Attorney <u>397</u> . The motion shall be terminated. SO ORDERED. Issued by Hon. Richard J. Arcara on 3/24/15. (LAS) (Entered: 03/24/2015)
09/24/2015	<u>399</u>	MOTION to Withdraw as Attorney by Equal Employment Opportunity Commission.(Batog, Konrad) (Entered: 09/24/2015)
09/25/2015	400	-CLERK TO FOLLOW UP-TEXT ORDER granting Motion to Withdraw as Attorney <u>399</u> by Konrad Batog. Attorney Konrad Batog is hereby removed as counsel from this matter. SO ORDERED. Issued by Hon. Richard J. Arcara on 9/25/15. (LAS) (Entered: 09/25/2015)
12/23/2015	401	TEXT ORDER REFERRING CASE to Magistrate Judge Hon. Michael J. Roemer for full pretrial matters and to hear and report upon dispositive motions for consideration by the district judge. Signed by Hon. Richard J. Arcara on December 23, 2015. (JMM) (Entered: 12/23/2015)
10/06/2016	<u>402</u>	MANDATE of USCA as to <u>396</u> Notice of Appeal filed by EEOC is HEREBY ORDERED, ADJUDGED and DECREED that the district court's order granting summary judgment is VACATED and the case is remanded for further proceedings. (KM) (Entered: 10/06/2016)
10/06/2016	<u>403</u>	NOTICE of Appearance by Amos Ben Blackman on behalf of Equal Employment Opportunity Commission (Blackman, Amos) (Entered: 10/06/2016)
10/07/2016	404	TEXT ORDER: This case is recommitted to Magistrate Judge Michael J. Roemer for full pretrial matters and to hear and report upon dispositive motions for consideration by the district judge, consistent with the original order of referral entered on December 23, 2015. SO ORDERED. Issued by Hon. Richard J. Arcara on 10/7/16. (LAS) (Entered: 10/07/2016)
10/07/2016	<u>405</u>	NOTICE of Appearance by Sebastian Riccardi on behalf of Equal Employment Opportunity Commission (Riccardi, Sebastian) (Entered: 10/07/2016)
10/07/2016	406	TEXT ORDER. Status Conference set for 11/2/2016 11:00 AM before Hon. Michael J. Roemer. On or before 10/26/2016, plaintiff and defendant shall each submit a brief status update in light of the Second Circuit's Mandate on 10/6/2016. The update should

		include, but is not limited to, an explanation as to the status of discovery, any anticipated dispositive or non-dispositive motions to be filed and the party's position as to the benefit of any renewed mediation efforts. The status update should also include a proposed case management order. SO ORDERED. Issued by Hon. Michael J. Roemer on 10/7/2016. (RAZ) (Entered: 10/07/2016)
10/17/2016	<u>407</u>	NOTICE of Appearance by Lisa H. Hernandez on behalf of Equal Employment Opportunity Commission (Hernandez, Lisa) (Entered: 10/17/2016)
10/18/2016	<u>408</u>	MOTION to appear pro hac vice for <i>Christina M. Janice</i> (Filing fee \$ 150 receipt number 0209-2639263.) by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Admission Petition Form, # <u>2</u> Admission Sponsor Affidavit, # <u>3</u> Attorney's Oath, # <u>4</u> Civility Principles Oath, # <u>5</u> Attorney Data Base Information Form, # <u>6</u> CM/ECF Registration Form)(Maatman, Gerald) (Entered: 10/18/2016)
10/19/2016		Verified admission to the Ohio State Bar for Attorney Christina M. Janice. (NRE) (Entered: 10/19/2016)
10/20/2016	<u>409</u>	-CLERK TO FOLLOW UP-TEXT ORDER granting <u>408</u> Motion for Pro Hac Vice Admission by Christina M. Janice. Issued by Hon. Richard J. Arcara on 10/20/16. (LAS) (Entered: 10/20/2016)
10/26/2016	<u>410</u>	STATUS REPORT <i>Case Status Update</i> by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Eighth Amended State I Case Management Order)(Maatman, Gerald) (Entered: 10/26/2016)
10/26/2016	<u>411</u>	STATUS REPORT by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order Proposed Case Management Order)(Blackman, Amos) (Entered: 10/26/2016)
10/28/2016	<u>412</u>	MOTION to Withdraw as Attorney by Equal Employment Opportunity Commission.(Biltekoff, Judith) (Entered: 10/28/2016)
10/31/2016	<u>413</u>	TEXT ORDER granting <u>412</u> Motion to Withdraw as Attorney. Attorney Judith Ann Biltekoff terminated. SO ORDERED. Issued by Hon. Michael J. Roemer on 10/31/2016. (RAZ) (Entered: 10/31/2016)
10/31/2016	<u>414</u>	NOTICE of Appearance by Justin Mulaire on behalf of Equal Employment Opportunity Commission (Mulaire, Justin) (Entered: 10/31/2016)
11/02/2016	<u>415</u>	Minute Entry for proceedings held before Hon. Michael J. Roemer. Status Conference held on 11/2/2016. Discussions held regarding discovery and motions and case management deadlines. Case Management Order to be issued. Appearances: Amos Ben Blackman, Esq., Jeffrey C. Burstein, Esq. and Justin Mulaire, Esq. appearing on behalf of plaintiff. Christina M. Janice, Esq. and Scott P. Horton, Esq. appearing on behalf of defendant. (Court Reporter FTR Gold.) (RAZ) (Entered: 11/02/2016)
11/02/2016	<u>416</u>	EIGHTH AND FINAL CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Motions to Compel Discovery due by 11/16/2016. Plaintiff Expert Witness ID due by 2/14/2017. Defendant Expert Witness ID due by 4/14/2017. Dispositive Motions and <i>Daubert</i> Motions due by 8/8/2017. Signed by Hon. Michael J. Roemer on 11/2/2016. (RAZ) (Entered: 11/02/2016)
11/03/2016	<u>417</u>	NOTICE of Appearance by Liane Tai Rice on behalf of Equal Employment Opportunity Commission (Rice, Liane) (Entered: 11/03/2016)
11/14/2016	<u>418</u>	TEXT ORDER. The Court will not have a pre-motion conference. Plaintiff is instructed to file the motion to compel in accordance with the Eighth and Final Case Management Order. SO ORDERED. Issued by Hon. Michael J. Roemer on 11/14/2016. (RAZ) (Entered: 11/14/2016)
11/16/2016	<u>419</u>	MOTION to Compel <i>Production of Documents Withheld by Defendant on Assertion of Privilege</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Blackman, Amos) (Entered: 11/16/2016)

11/16/2016	<u>420</u>	MEMORANDUM in Support re <u>419</u> MOTION to Compel <i>Production of Documents Withheld by Defendant on Assertion of Privilege</i> filed by Equal Employment Opportunity Commission. (Blackman, Amos) (Entered: 11/16/2016)
11/16/2016	<u>421</u>	DECLARATION re <u>419</u> MOTION to Compel <i>Production of Documents Withheld by Defendant on Assertion of Privilege</i> filed by Equal Employment Opportunity Commission filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 11/9/2016 Maatman email, # <u>2</u> Exhibit 3/27/2013 Burstein email, # <u>3</u> Exhibit 5/30/2013 Maatman letter, # <u>4</u> Exhibit Lynch Decl., # <u>5</u> Exhibit 8/2/2013 Burstein letter, # <u>6</u> Exhibit Katz Order, # <u>7</u> Exhibit Class Award Excerpt)(Blackman, Amos) (Entered: 11/16/2016)
11/17/2016		SCHEDULING NOTICE as to <u>419</u> Motion to Compel Production of Documents Withheld by Defendant on Assertion of Privilege. Responses due by 11/30/2016. Replies due by 12/7/2016. Oral Argument set for 12/9/2016 11:00 AM before Hon. Michael J. Roemer. (RAZ) (Entered: 11/17/2016)
11/17/2016		SCHEDULING NOTICE as to <u>419</u> MOTION to Compel Production of Documents Withheld by Defendant on Assertion of Privilege. Oral Argument set for 12/9/2014 at 11:00 AM is RESCHEDULED to 12/14/2016 11:30 AM before Hon. Michael J. Roemer. (RAZ) (Entered: 11/17/2016)
11/30/2016	<u>422</u>	RESPONSE in Opposition re <u>419</u> MOTION to Compel <i>Production of Documents Withheld by Defendant on Assertion of Privilege</i> filed by Sterling Jewelers, Inc.. (Maatman, Gerald) (Entered: 11/30/2016)
11/30/2016	<u>423</u>	DECLARATION signed by Gerald L. Maatman, Jr. re <u>422</u> Response in Opposition to Motion filed by Sterling Jewelers, Inc. filed by Sterling Jewelers, Inc.. (Attachments: # <u>1</u> Exhibit 1 – July 9, 2013 Letter From Sterlings Counsel To EEOCs Counsel, # <u>2</u> Exhibit 2 – July 26, 2013 Letter From Sterlings Counsel To EEOCs Counsel, # <u>3</u> Exhibit 3 – August 2, 2013 Letter From EEOCs Counsel To Sterlings Counsel, # <u>4</u> Exhibit 4 – Declaration of Robert Berger)(Maatman, Gerald) (Entered: 11/30/2016)
12/05/2016	424	TEXT ORDER: On or before December 8, 2016, defendant shall submit to chambers, for purposes of an in camera review, all documents at issue in plaintiff's motion to compel (419). Issued by Hon. Michael J. Roemer on December 5, 2016. (MLM) (Entered: 12/05/2016)
12/07/2016	<u>425</u>	REPLY to Response to Motion re <u>419</u> MOTION to Compel <i>Production of Documents Withheld by Defendant on Assertion of Privilege</i> filed by Equal Employment Opportunity Commission. (Blackman, Amos) (Entered: 12/07/2016)
12/14/2016	426	Minute Entry for proceedings held before Hon. Michael J. Roemer. Oral Argument held on 12/14/2016 re <u>419</u> Motion to Compel Production of Documents Withheld by Defendant on Assertion of Privilege. Motion submitted for decision. Appearances: Amos B. Blackman, Esq. and Jeffrey C. Burstein, Esq. on behalf of pltf; Gerald L. Maatman, Jr., Esq. on behalf of deft. (Court Reporter FTR Gold.) (RAZ) (Entered: 12/29/2016)
01/03/2017	<u>427</u>	DECISION AND ORDER granting in part and denying in part <u>419</u> Motion to Compel. Signed by Hon. Michael J. Roemer on 1/3/2017. (RAZ) (Entered: 01/03/2017)
01/26/2017	<u>428</u>	Joint MOTION for Extension of Time to Complete Discovery by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Riccardi, Sebastian) (Entered: 01/26/2017)
01/27/2017	429	TEXT ORDER granting <u>428</u> Motion for Extension of Time to Complete Discovery. SO ORDERED. Issued by Hon. Michael J. Roemer on 1/27/2017. (RAZ) (Entered: 01/27/2017)
01/27/2017	<u>430</u>	NINTH AMENDED CASE MANAGEMENT ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Plaintiff Expert Witness ID due by 4/14/2017. Defendant Expert Witness ID due by 6/16/2017. Dispositive Motions due by 10/3/2017. Signed by Hon. Michael J. Roemer on 1/27/2017. (RAZ) (Entered: 01/27/2017)

03/31/2017	<u>431</u>	MOTION for Extension of Time to File <i>Expert report deadlines in Case Management Order</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Burstein, Jeffrey) (Entered: 03/31/2017)
04/05/2017	<u>432</u>	TEXT ORDER granting <u>431</u> motion for extension of expert discovery deadlines. The parties shall identify any expert witnesses and produce their reports pursuant to Fed.R.Civ.P. 26(a)(2) as follows: (a) plaintiff shall identify any expert witnesses and produce their report by 4/24/2017; (b) defendant shall identify any expert witnesses and produce their reports by 6/26/2017; and (c) plaintiff shall identify any rebuttal expert witnesses and produce their report by 8/18/2017. All expert depositions shall be completed no later than 9/11/2017. SO ORDERED. Issued by Hon. Michael J. Roemer on 4/5/2017. (RAZ) (Entered: 04/05/2017)
04/06/2017	<u>433</u>	NOTICE of Change of Address by Christina M. Janice (Janice, Christina) (Entered: 04/06/2017)
04/21/2017	<u>434</u>	Joint MOTION to Approve Consent Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order Proposed Consent Decree)(Blackman, Amos) (Entered: 04/21/2017)
05/04/2017	<u>435</u>	CONSENT DECREE (KM) (Entered: 05/05/2017)