

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:01-cv-02112-WHP

Mitchell, et al v. Metropolitan Life
Assigned to: Judge William H. Pauley, III
Demand: \$0

Related Cases: [1:03-cv-10294-WHP](#)
[1:03-cv-10294-WHP](#)

Cause: 42:2000e Job Discrimination (Employment)

Plaintiff

Stella Mitchell

*on behalf of themselves and all others
similarly situated*

Date Filed: 03/13/2001
Date Terminated: 11/06/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

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Plaintiff

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Plaintiff

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Plaintiff

Durpatty Persaud
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similarly situated

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Plaintiff

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V.

Defendant

**Metropolitan Life Insurance Company,
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doing business as
MetLife

represented by **Allen I. Fagin**
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Date Filed	#	Docket Text
03/13/2001	1	CLASS ACTION COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 399690. (tp) (Entered: 03/14/2001)
03/13/2001		Magistrate Judge Ronald L. Ellis is so designated. (tp) (Entered: 03/14/2001)
03/28/2001	2	ORDER FOR INITIAL PRETRIAL CONFERENCE; counsel are directed to appear in Courtroom 618 at the U.S. Courthouse, 40 Foley Sq., 40 Centre Street on 6/22/01 at 11:00 a.m. for an initial pretrial conferene. (signed by Judge William H. Pauley III) (sac) (Entered: 03/28/2001)
04/17/2001	3	STIPULATION and ORDER, extending time for deft to answer to the complaint ; reset answer to the complaint due for 4/30/01 for Metropolitan Life Insurance Co. (signed by Judge William H. Pauley III) (kg) (Entered: 04/18/2001)
05/08/2001	4	RULE 1.9 CERTIFICATE filed by Metropolitan Life . (pl) (Entered: 05/10/2001)
05/08/2001	5	ANSWER to Complaint by Metropolitan Life (Attorney Allen I. Fagin from the Firm: Proskauer, Ross LLP) . (pl) (Entered: 05/10/2001)
05/24/2001	6	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey for an order, purs. to Rule 1.3 of the General Rules of the Sadmitting James M. Finberg and Kelly M. Dermody of Lieff, Cabraser, Heimann & Bernstein, LLP to appear pro hac vice ; Return date not indicated. Declaration(s) in support attached. (sac) (Entered: 05/29/2001)
06/14/2001	7	Memo-Endorsement on letter addressed to Judge Pauley from Kelly M. Dermody and Allen T., dated 06/11/01; initial pre-trial conference adjourned to 07/13/01 at 3:00 p.m. ; (signed by Judge William H. Pauley III); Copies mailed. (dj) (Entered: 06/18/2001)
07/11/2001	8	Joint Case Management Statement filed. (kkc) (Entered: 07/12/2001)
07/13/2001		Pretrial Conference held before Judge William H. Pauley III. (kkc) (Entered: 07/24/2001)
07/18/2001	9	ORDER, Defendant shall serve and file its motion to disqualify counsel by 7/20/01; plaintiffs shall serve and file their opposition papers by 8/3/01; reply papers, if any, shall be served and filed by 8/10/01; oral argument is set for 9/5/01 at 2:30 p.m. . (signed by Judge William H. Pauley III); Copies mailed. (ae) (Entered: 07/18/2001)
07/20/2001	11	MEMORANDUM OF LAW by Metropolitan Life in support of [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action. (docmt received in night dep. on 07/20/01 at 10:34 p.m.) (dj) (Entered: 07/24/2001)
07/24/2001	10	NOTICE OF MOTION by Metropolitan Life; for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action ; Return date 9/5/01. Attached are affidavits of Wilbert, Finnegan, Seltzer, Sullivan, Wilson and Fagan. (docmt received in night dep. on 07/20/01 at 10:32 p.m.) (dj) Modified on 07/24/2001 (Entered: 07/24/2001)
07/25/2001	12	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey for James M. Finberg and Kelly M. Dermody to appear pro hac vice ; Return date 8/2/01. Attached are Declarations of Adam T. Klein and James M. Finberg. (dj) (Entered: 07/26/2001)

07/31/2001	13	ORDER, granting [12-1] motion for James M. Finberg and Kelly M. Dermody to appear pro hac vice on behalf of plaintiffs. (signed by Judge William H. Pauley III); Copies mailed. (Orig. doc. sent to the Attorney Admissions Clerk) (ae) Modified on 07/31/2001 (Entered: 07/31/2001)
08/09/2001	14	STIPULATION and ORDER, plttfs to serve and file their opposition papers with respect to defts [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in action is extended to 8/10/01 ; Deft's Reply to Response to Motion reset to 8/22/01 [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in action . (signed by Judge William H. Pauley III) (kg) (Entered: 08/10/2001)
08/14/2001	15	MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in opposition to [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action. (sac) (Entered: 08/21/2001)
08/14/2001	16	DECLARATION of Kelly M. Dermody by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [15-1] opposition memorandum. (sac) (Entered: 08/21/2001)
08/14/2001	17	DECLARATION of Charles W. Wolfram by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001	18	DECLARATION of Steven M. Tindall by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001	19	DECLARATION of Richard T. Seymour by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001	20	DECLARATION of Leila K. Hilal by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001	21	AFFIRMATION of Wendy R. Fleishman by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001	22	DECLARATION of Rachel Geman by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: based on personal knowledge. (sac) (Entered: 08/21/2001)
08/14/2001		Pretrial Conference held before Judge William H. Pauley III. (kw) (Entered: 08/29/2001)
08/22/2001	23	AFFIDAVIT of Sheila Murphy; declaration of Steven P. Seltzer; declaration of Hal R. Lieberman; and affidavit of Amy B. Regan by Metropolitan Life. (Received in the night deposit box on 8/22/01). (kw) (Entered: 08/23/2001)
08/22/2001	24	REPLY MEMORANDUM by Metropolitan Life in support of re: [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action. (Received in the night deposit box on 8/22/01). (kw) (Entered: 08/23/2001)
08/29/2001	26	DECLARATION of Steven P. Seltzer by Metropolitan Life in support of: [10-1] motion for an order disqualifying Lieff, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action. (kkc) (Entered: 08/31/2001)
08/30/2001	25	Transcript of record of proceedings before Judge William H. Pauley III for the date(s) of 7/13/01. (moc) (Entered: 08/30/2001)
09/05/2001	27	CONFIDENTIALITY ORDER, regarding procdedures that will govern the handling of confidential information (signed by Judge William H. Pauley III); Copies mailed. (cd) (Entered: 09/06/2001)

09/05/2001		Oral argument held and concluded before Judge William H. Pauley III. (bai) (Entered: 09/26/2001)
11/02/2001	28	Transcript of record of proceedings before Judge William H. Pauley III for the date(s) of 9/5/01 @12:05 p.m. (kg) (Entered: 11/02/2001)
11/30/2001	29	Memo-Endorsement on letter addressed to Judge Pauley from Kelly M. Dermody, dated 11/28/01; granting counsel for plttffs' request for permission for plttffs' attorney James M. Finberg, to appear telephonically at the discovery conference set for 10:15 AM on 11/30/01. Mr. Finberg shall call Chambers at (212) 805-6387 . (signed by Judge William H. Pauley III); Copies mailed. (sn) (Entered: 12/04/2001)
01/08/2002	30	Transcript of record of proceedings before Judge William H. Pauley III for the date(s) of 11/30/01. (cd) (Entered: 01/08/2002)
02/15/2002	31	ORDER RE: DICOVERY CONFERENCE, plaintiffs' application for the production of documents relating to defendant's hiring practices is denied set forth in this document. Plaintiffs' application for documents relating to sexual harassment issues within the MLFS field force, with respect to the period 1/1/98 to the present is granted ; plaintiffs' application for the complete, unredacted versions of the "Women in MetLife" Report and the "Productivity of Women Representatives" Report is granted ; defendant's motion to compel discovery relating to the Named Plaintiffs' individual damages is granted as set forth in this document ; defendant's application for discovery with respect to experts whose opinions will be offered in connection with the anticipated class certification motion is granted as forth in this document . (signed by Judge William H. Pauley III); Copies mailed. (kw) (Entered: 02/20/2002)
03/13/2002	32	Memo-Endorsement on letter addressed to Judge Pauley from Allen I. Fagin, dated 03/08/02; defendant's time to serve and file its opposition leter is extended to 03/18/02 ; signed by Judge William H. Pauley III); Copies mailed. (djc) (Entered: 03/18/2002)
03/21/2002	33	MEMORANDUM AND ORDER granting [10-1] motion for an order disqualifying Lief, Cabraser, Heimann & Bernstein LLP from representing plaintiffs in this action (signed by Judge William H. Pauley III); Copies mailed. (cd) (Entered: 03/25/2002)
04/16/2002	34	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, and Janet Ramsey, for Barry Goldstein to appear pro hac vice ; for Teresa Demchak to appear pro hac vice ; for David Borgen to appear pro hac vice ; for Linda M. Dardarian to appear pro hac vice ; for Roberta Steele to appear pro hac vice . Declaration of Adam T. Klein in support is attached. Declaration of David Borgen in support is attached. No return date. (kw) (Entered: 04/22/2002)
04/24/2002	35	ORDER; granting [34-1] motion for Barry Goldstein to appear pro hac vice, granting [34-2] motion for Teresa Demchak to appear pro hac vice, granting [34-3] motion for David Borgen to appear pro hac vice, granting [34-4] motion for Linda M. Dardarian to appear pro hac vice, granting [34-5] motion for Roberta Steele to appear pro hac vice . (signed by Judge William H. Pauley III); Copies mailed. (docmt forwarded to atty admissions clerk) (djc) (Entered: 04/25/2002)
04/26/2002		PRETRIAL CONFERENCE held and concluded on 4/26/02 before Judge William H. Pauley III . (sb) (Entered: 05/02/2002)
04/30/2002	37	Memorandum to Docket Clerk: Pretrial conference held and concluded on 4/26/02 before Judge Pauley. (sb) (Entered: 05/02/2002)
05/01/2002	36	ORDER; that (1) plaintiffs shall submit a letter to the Court by 5/29/02 advising the Court of their intentions with respect to the amendment of their complaint as proposed by plaintiffs' former counsel; (2) any disputes regarding the transfer of documents from plaintiffs' former counsel, Lief Cabraser Heimann & Bernstein, LLP to plaintiffs' new counsel, Saperstein Goldstein Demchak & Baller shall be submitted to the Court in letter memoranda by each party by 5/13/02; (3) any responses to the letter memoranda are due by 5/17/02; (4) a joint letter submitting a proposed case management schedule is due by 6/21/02. If the parties cannot agree on an issue then the letter shall set forth each party's position, including citations to caselaw where appropriate ; a status conference is scheduled for 7/16/02 at 10:30 a.m . (signed by Judge William H. Pauley III); Copies mailed. (kkc) (Entered: 05/01/2002)

06/11/2002	38	Transcript of record of proceedings before Judge William H. Pauley III for the date(s) of 4/26/02. (tr) (Entered: 06/11/2002)
06/21/2002	39	STIPULATION and ORDER, plaintiffs may file the attached first amended complaint. Any and all applicable statutes of limitations as to Forman's individual claims against defendant shall be tolled as of 3/6/02, until sixty days following entry of this Order . (signed by Judge William H. Pauley III) (kw) (Entered: 06/25/2002)
06/21/2002	40	AMENDED COMPLAINT by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, and Janet Ramsey (Answer due 7/5/02 for Metropolitan Life) amending [1-1] complaint; jury trial demanded. (kw) (Entered: 06/25/2002)
06/21/2002	40	DEMAND for jury trial by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, and Janet Ramsey. (kw) (Entered: 06/25/2002)
07/17/2002	41	Memorandum to Docket Clerk:, for a status conference . (dle) (Entered: 07/18/2002)
07/17/2002		Status Conference held on 7/16/02 before Judge William H. Pauley III (dle) (Entered: 07/18/2002)
07/26/2002	42	ANSWER by Metropolitan Life to Fir st Aended [1-1] complaint . (Attorney Allen I. Fagin from the Firm: Proskauer Rose LLP). (djc) (Entered: 07/31/2002)
07/30/2002	43	STIPULATION and ORDER, final day for amendment of pleadings: 6/28/02; date by which plaintiffs must identify any additional named plaintiffs: 7/31/02; last date for plaintiffs to identify anecdotal witnesses and provide defendant with any non-expert affidavits plaintiffs intend to submit with their class certification motion: 11/1/02; date by which plaintiffs must provide defendant with expert report(s) for their class certification experts: 11/29/02; date by which non-expert depositions must be completed by 12/20/02; date by which plaintiffs' class certification expert(s) must be deposed: 12/20/02; date by which defendant must provide plaintiffs with expert report(s) for its class certification expert(s): 1/17/03; date by which defendant's class certification expert(s) must be deposed: 2/7/03; plaintiffs shall file and serve their motion for class certification: 2/28/03; defendant shal file and serve its opposition to class certification: 4/18/02; plaintiffs shall file and serve their reply in support of class certification: 5/9/03; hearing on Class Certification Motion: 6/4/03 at 10:30 a.m. (signed by Judge William H. Pauley III) (kw) (Entered: 08/01/2002)
07/30/2002		Deadlines: final date for amendment of pleadings: 6/28/02; plaintiff's motion for class certification: 2/28/03; opposition by 4/18/02; reply by 5/9/03 ; hearing on class certification motion is set for 6/4/03 at 10:30 a.m. (kw) (Entered: 08/01/2002)
09/03/2002	44	Transcript of record of proceedings before Judge William H. Pauley III for the date(s) of July 16, 2002. (jw) (Entered: 09/03/2002)
12/03/2002	45	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey; for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice . No Return Date. (ae) (Entered: 12/11/2002)
12/03/2002	46	DECLARATION of Adam T. Klein by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [45-1] motion for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice . (ae) (Entered: 12/11/2002)
12/03/2002	47	DECLARATION of Darci E. Burrell by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [45-1] motion for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice . (ae) (Entered: 12/11/2002)
12/03/2002	48	DECLARATION of Holly K. Herndon by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [45-1] motion for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice . (ae) (Entered: 12/11/2002)

12/03/2002	49	DECLARATION of Joshua Konecky by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [45-1] motion for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice . (ae) (Entered: 12/11/2002)
12/16/2002	50	ORDER granting [45-1] motion for an order purs. to Rule 1.3 of the General Rules of the S.D.N.Y. for Darci E. Burrell, Holly K. Herndon, Joshua Konecky of Saperstein, Goldstein, Demchak, &Baller to appear pro hac vice on behalf of plaintiffs in this matter. (signed by Judge William H. Pauley III); Document forwarded to attorney admissions clerk. (dle) Modified on 12/18/2002 (Entered: 12/18/2002)
02/11/2003	51	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey for Adam T. Klein to appear pro hac vice for plttf's . Proposed Order attached. No Return Date indicated. (db) Modified on 02/19/2003 (Entered: 02/19/2003)
02/11/2003	52	DECLARATION of Morris J. Baller by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support motion to appear pro hac vice. (db) (Entered: 02/19/2003)
02/11/2003	53	DECLARATION of Adam T. Klein by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support Re: [51-1] motion for Adam T. Klein to appear pro hac vice for plttf's . (db) (Entered: 02/19/2003)
02/11/2003	54	Order admitting attorney Morris J. Baller pro hac vice on behalf of the plaintiffs. (signed by Judge William H. Pauley III); FORWARDED DOCUMENT TO ATTORNEY ADMISSIONS CLERK. (tp) (Entered: 02/26/2003)
02/28/2003	55	DECLARATION of Lisa M. Dungan by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey Re: and Index of Evidence in Support of Plaintiffs' Motion for Class Certification. (djc) (Entered: 03/04/2003)
02/28/2003	56	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey to certify class action ; Return Date 6/4/03 at 9:30. (cd) (Entered: 03/04/2003)
02/28/2003	57	MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [56-1] motion to certify class action; accompanied with Volumes of Exhibits (cd) (Entered: 03/04/2003)
03/20/2003	58	AMENDED MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [56-1] motion to certify class action . (yv) (Entered: 03/27/2003)
03/20/2003	59	AMENDED EXHIBIT 1 by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey to declaration of May Rafanan in support of plaintiffs' motion for class certification (yv) (Entered: 03/27/2003)
03/31/2003	60	STIPULATION and ORDER; Plaintiffs may file the Second Amended Complaint ; (signed by Judge William H. Pauley III); (complaint not attached) (djc) Modified on 04/02/2003 (Entered: 04/01/2003)
04/02/2003	61	SECOND AMENDED COMPLAINT by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey (Answer due 4/14/03 for Metropolitan Life) amending [1-1] complaint Summons issued. (cd) (Entered: 04/03/2003)
04/02/2003	61	DEMAND for jury trial by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey . (cd) (Entered: 04/03/2003)
04/10/2003	62	Memo-Endorsement on letter addressed to Judge Pauley from Teresa Demchak, dated 4/4/03. Re: parties request that dft be permitted to serve and file its submission in opposition to [56-1] class certification on 4/30/03 , and that plttfs be permitted to serve and file their reply submission in support of [56-1] class certification on 5/14/03 , and dft also requests permission to exceed the page limits of aforementioned submissions; a 40 page memorandum of laaw in opposition to [56-1] motion. Plttfs consent, so long they are permitted to submit a 20 page reply memorandum in support of [56-1] motion. All applications granted. Oral argument is rescheduled for 6/12/03 at 2:30 p.m. . (signed by Judge William H. Pauley III) (db) (Entered: 04/11/2003)

04/10/2003		Deadline(s) updated: oral argument rescheduled for 6/12/03 at 2:30 p.m. as per Doc # 62, endorsement . (db) (Entered: 04/11/2003)
04/30/2003	63	MEMORANDUM OF LAW by Metropolitan Life in support of dfts opposition to plttfs motion to class certification. (db) (Entered: 05/05/2003)
04/30/2003	64	DECLARATION of Jennifer Gray (PART 1) by Metropolitan Life in opposition Re: [56-1] motion to certify class action . (db) (Entered: 05/05/2003)
04/30/2003	65	DECLARATION of Jennifer Gray (PART 2) by Metropolitan Life in opposition Re: [56-1] motion to certify class action . (db) (Entered: 05/05/2003)
04/30/2003	66	DECLARATION of Anne M. Smith by Metropolitan Life in opposition Re: [56-1] motion to certify class action . (db) (Entered: 05/05/2003)
04/30/2003	67	DECLARATION of Jonathan E. Sachs by Metropolitan Life in opposition Re: [56-1] motion to certify class action . (db) (Entered: 05/05/2003)
05/12/2003	68	Memo-Endorsement on letter addressed to Judge Pauley from David Borgen, dated 05/09/03; granting counsel's request that the briefing schedule and the oral argument with respect to plaintiffs' class certification motion be vacated. The remaining briefing schedule and oral argument are adjourned indefinitely ; reset status conference for 2:30 p.m. on 6/12/03 ; Plaiintiff's counsel is directed to serve this order on all parties ; (signed by Judge William H. Pauley III); (djc) (Entered: 05/13/2003)
06/12/2003	69	Memorandum to Docket Clerk: Status conference held and concluded 6/12/03. (ja) (Entered: 06/18/2003)
06/12/2003		Status Conference held before Judge William H. Pauley III . (ja) (Entered: 06/18/2003)
06/18/2003	70	ORDER; The parties shall submit their proposed consent decree and settlement documents to the Court by July 25, 2003 ; a telephone conference is scheduled for 4:45 p.m. on 8/12/03, to discuss further scheduling issues . (signed by Judge William H. Pauley III); Copies mailed by Chambers. (jco) (Entered: 06/18/2003)
07/29/2003	71	Memo-Endorsement on letter addressed to Judge Pauley from David Borgen/Allen I. Fagin, dated 7/24/03 reset motion filing deadline for 7/30/03 for plntfs consent decree and motion for preliminary approval of the settlement (signed by Judge William H. Pauley III); (cd) (Entered: 07/31/2003)
07/30/2003	72	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey, Metropolitan Life for an order of class certification of the settlement class , for an order for preliminary approval of the Consent Decree , for an order for an award of attorneys' fees , and for an order for approval of class notice . No Return Date. Proposed order attached. (sb) (Entered: 08/01/2003)
07/30/2003	73	MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [72-1] motion for an order of class certification of the settlement class, [72-2] motion for an order for preliminary approval of the Consent Decree, [72-3] motion for an order for an award of attorneys' fees, [72-4] motion for an order for approval of class notice. Appendix to Memorandum attached. (sb) Modified on 08/01/2003 (Entered: 08/01/2003)
07/30/2003	74	DECLARATION of David Borgen by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [72-1] motion for an order of class certification of the settlement class, [72-2] motion for an order for preliminary approval of the Consent Decree, [72-3] motion for an order for an award of attorneys' fees, [72-4] motion for an order for approval of class notice . (sb) (Entered: 08/01/2003)
07/30/2003	75	DECLARATION of Adam T. Klein by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [72-1] motion for an order of class certification of the settlement class, [72-2] motion for an order for preliminary approval of the Consent Decree, [72-3] motion for an order for an award of attorneys' fees, [72-4] motion for an order for approval of class notice. (sb) (Entered: 08/01/2003)
08/12/2003		Telephone Conference held before Judge William H. Pauley III . (cd) (Entered: 08/18/2003)

08/12/2003	76	Memorandum to Docket Clerk: telephone conference held 8/12/03 (cd) (Entered: 08/18/2003)
08/20/2003	77	ORDER Granting Conditional Certification of a Settlement Class, and Preliminary approval of Proposed Consent Decree and Award of Attorneys' fees and Costs, and Authorizing Class Notice; the Court finds that certification purs to FRCP 23(b)(2) of the following class for settlement purposes only is appropriate as set forth in this Order ; the Court approves the Notice presented by the parties ; the Court hereby sets a Hearing on 11/06/03 at 2:15 p.m. (the "Fairness Hearing") to determine whether the Consent Decree shall be given final approval ; if the court for any reason does not grant final approval of the consent Decree, all evidence and proceedings held in connection with this settlement approval process shall be without prejudice to the rights of the parties and the parties to this case will be returned to the positions they were in prior to the submission of the Proposed Consent Decree, as more specifically set forth in the Consent Decree ; (signed by Judge William H. Pauley III); (djc) (Entered: 08/20/2003)
10/15/2003	78	NOTICE of Intent to Opt out of settlement by Stella Mitchell. (jco) (Entered: 10/22/2003)
10/27/2003	79	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey to approve settlement class and consent decree ; Return Date 11/6/03 at 2:15. (cd) (Entered: 10/29/2003)
10/27/2003	80	MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [79-1] motion to approve settlement class and consent decree; accompanied with 2 volumes of Appendix (cd) (Entered: 10/29/2003)
10/27/2003	81	NOTICE OF MOTION by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey for attorney fees and costs ; Return Date 11/6/03 at 2:15. (cd) (Entered: 10/29/2003)
10/27/2003	82	MEMORANDUM OF LAW by Stella Mitchell, Hwa-Mei C. Gee, Barbara LaChance, Durpatty Persaud, Janet Ramsey in support of [81-1] motion for attorney fees and costs; accompanied with 2 Volumes of Appendix (cd) (Entered: 10/29/2003)
11/04/2003	85	Letter filed by Metropolitan Life addressed to Judge Pauley from Allen I. Fagin, dated 11/04/03, re: advising Your Honor that they do not oppose Plaintiff's motion for final approval of settlement class and consent decree or plaintiffs' application for award of attorneys' fees and costs; (djc) (Entered: 11/12/2003)
11/06/2003	83	ORDER, that for the reasons set forth, the Court is granting plaintiffs' [81-1] motion for attorney fees and costs in the amount of \$3.4 million. (signed by Judge William H. Pauley III). (tp) (Entered: 11/06/2003)
11/06/2003	84	ORDER, that for the reasons set forth, the Court is granting plaintiffs' [72-1] motion for an order of class certification of the settlement class; granting [72-2] motion for an order for preliminary approval of the Consent Decree; granting [72-3] motion for an order for an award of attorneys' fees. The Court dismisses the Mitchell Action on the merits and with prejudice, without fees or costs except as provided in the Consent Decree, and except as to the individual claims of opt-out Stella Mitchell . (signed by Judge William H. Pauley III). (tp) (Entered: 11/06/2003)
11/06/2003		Case closed. (tp) (Entered: 11/06/2003)
12/11/2003	86	TRANSCRIPT of proceedings held on 11/6/2003 before Judge William H. Pauley.(pr,) (Entered: 12/11/2003)
03/17/2004	87	STIPULATION AND ORDER that the claim forms of the class members listed in the attached exhibit A shall be deemed timely and these class members may participate in the class settlement fund (Signed by Judge William H. Pauley III on 3/11/2004) (jsa,) (Entered: 03/19/2004)
04/20/2004	88	STIPULATION AND ORDER that class member Eliza Cohn shall be permitted to rescind her opt-out statement and participate in the class settlement. So Ordered. (Signed by Judge William H. Pauley III on 4/19/04) (jco,) (Entered: 04/21/2004)

06/09/2004	89	STIPULATION AND ORDER, that the claim forms of class members Julie A. Deliso-Pollicino, Patricia E Reid, Marie Mauricio-Ortiz and Cynthia M. Maggioli shall be deemed timely and these class members may participate in the class settlement fund. (Signed by Judge William H. Pauley III on 6/7/04) (tp,) (Entered: 06/10/2004)
10/22/2004	90	NOTICE of Appearance by Daniel J. Kaiser, William H. Kaiser on behalf of Stella Mitchell (pa,) (Entered: 10/25/2004)