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U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:10-cv-04334-JFB-AYS

Zarda v. Altitude Express, Inc. et al
Assigned to: Judge Joseph F. Bianco
Referred to: Magistrate Judge Anne Y. Shields
Cause: 28:1331 Fed. Question: Fair Labor Standards

Date Filed: 09/23/2010
Date Terminated: 10/28/2015
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Melissa Zarda

*co-independent executors of the estate of
Donald Zarda*

represented by **Gregory S. Antollino**
Gregory Antollino, Esq.
275 Seventh Avenue
Suite 705
New York, NY 10001
212-334-7397
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ATTORNEY TO BE NOTICED

Richard J. Cardinale

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26 Court Street
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ATTORNEY TO BE NOTICED

Plaintiff

William Allen Moore, Jr.

*co-independent executor of the estate of
Donald Zarda*

represented by **Gregory S. Antollino**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Altitude Express, Inc.

*doing business as
Skydive Long Island*

represented by **Saul D. Zabell**
Zabell & Associates, P.C.
4875 Sunrise Highway
Suite 300
Bohemia, NY 11716
631-589-7242
Fax: 631-563-7475

Email: SZabell@laborlawsny.com
ATTORNEY TO BE NOTICED

Defendant**Ray Maynard**

represented by **Saul D. Zabell**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/23/2010	1	COMPLAINT against Altitude Express, Inc., Ray Maynard Disclosure Statement on Civil Cover Sheet completed -NO., filed by Donald Zarda. (Attachments: # 1 Civil Cover Sheet) (Serret, Liliana) (Entered: 09/29/2010)
09/23/2010		FILING FEE: \$ 350.00, receipt number 4653019994 (Serret, Liliana) (Entered: 09/29/2010)
09/23/2010		Summons Issued as to Altitude Express, Inc., Ray Maynard. (Serret, Liliana) (Entered: 09/29/2010)
09/30/2010		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 09/30/2010)
10/21/2010	2	SUMMONS Returned Executed by Donald Zarda. Altitude Express, Inc. served on 9/27/2010, answer due 10/18/2010. (Antollino, Gregory) (Entered: 10/21/2010)
10/21/2010	3	WAIVER OF SERVICE Returned Executed by Donald Zarda. Ray Maynard waiver sent on 9/24/2010, answer due 11/23/2010. (Antollino, Gregory) (Entered: 10/21/2010)
11/01/2010	4	NOTICE of Appearance by Saul D. Zabell on behalf of Altitude Express, Inc., Ray Maynard (aty to be noticed) (Zabell, Saul) (Entered: 11/01/2010)
11/23/2010	5	Letter MOTION for pre motion conference re 1 Complaint by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 11/23/2010)
11/23/2010		ORDER granting 5 Motion for Pre Motion Conference. The Court has received the defendants' letter, dated November 23, 2010, requesting a pre-motion conference in anticipation of moving to dismiss. IT IS HEREBY ORDERED that the parties shall participate in a telephone pre-motion conference on Wednesday, December 8, 2010 at 2:00 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. Prior to the date of the conference, plaintiff may submit a letter pursuant to Individual Rule III.A explaining why the proposed motion is likely to be unsuccessful. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/23/2010. (Cooney, John) (Entered: 11/23/2010)
11/30/2010	6	Letter <i>in response to request for premotion conference</i> by Donald Zarda (Attachments: # 1 Exhibit cited case) (Antollino, Gregory) (Entered: 11/30/2010)
11/30/2010	7	MOTION to Adjourn Conference <i>to an earlier or later time the same day</i> by Donald Zarda. (Antollino, Gregory) (Entered: 11/30/2010)
12/01/2010		ORDER granting 7 Motion to Adjourn Conference. By letter dated November 30, 2010, plaintiff requested to reschedule the December 8, 2010 pre-motion conference. IT IS HEREBY ORDERED that plaintiff's request is granted. The pre-motion conference is rescheduled for Thursday, December 9, 2010 at 1:30 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 12/1/2010. (Cooney, John) (Entered: 12/01/2010)
12/09/2010	8	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 12/9/2010; motion to be filed by 1/10/11; response by 2/10/11; relpy

		by 2/24/11; oral argument 3/11/11 at 1:30 pm; submit the proposed schedule to the court by 12/17/10 (Court Reporter ftr 1:38 - 1:51.) (Bollbach, Jean) (Entered: 12/09/2010)
12/09/2010		ORDER. IT IS HEREBY ORDERED that the automatic referral to the Magistrate Judge for non-dispositive pretrial matters under Local Civil Rule 72.2 is withdrawn in this case and all proceedings, including discovery conferences and all other non-dispositive pre-trial matters, will occur before the District Judge, unless a specific referral is made to the Magistrate Judge at some future time. SO ORDERED. Ordered by Judge Joseph F. Bianco on 12/9/2010. (Cooney, John) (Entered: 12/09/2010)
12/10/2010	9	Proposed Scheduling Order by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 12/10/2010)
12/10/2010	10	SCHEDULING ORDER: deadline for commencement of motion for joinder of additional parties or amendment of pleadings: March 4, 2011; discovery by Sept. 9, 2011; dispositive motion by Oct. 7, 2011; final conf. Oct 21, 2011 at 10:00 am. Ordered by Judge Joseph F. Bianco on 12/10/2010. (Bollbach, Jean) (Entered: 12/14/2010)
12/16/2010	11	Corporate Disclosure Statement by Altitude Express, Inc. (Zabell, Saul) (Entered: 12/16/2010)
01/10/2011	12	Letter by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 01/10/2011)
01/10/2011	13	ANSWER to 1 Complaint by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 01/10/2011)
02/04/2011	14	First MOTION for Discovery <i>Hearing or Conference</i> by Donald Zarda. (Antollino, Gregory) (Entered: 02/04/2011)
02/07/2011		ORDER re 14 : The plaintiff's application must be redirected to Judge Bianco. By order dated December 9, 2010, Judge Bianco withdrew the automatic referral to the undersigned for non-dispositive pretrial matters. Ordered by Magistrate Judge Arlene R. Lindsay on 2/7/2011. c/ecf (Miller, Dina) (Entered: 02/07/2011)
02/07/2011		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Wednesday, February 9, 2011 at 4:00 p.m. to discuss plaintiff's letter dated February 4, 2011. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/7/2011. (Cooney, John) (Entered: 02/07/2011)
02/07/2011	15	RESPONSE in Opposition re 14 First MOTION for Discovery <i>Hearing or Conference</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/07/2011)
02/09/2011	16	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone status Conference held on 2/9/2011. (Court Reporter Owen Wicker.) (Bollbach, Jean) (Entered: 02/10/2011)
02/11/2011	17	Letter MOTION to Compel <i>Discovery</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/11/2011)
02/11/2011	18	RESPONSE to Motion re 17 Letter MOTION to Compel <i>Discovery</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 02/11/2011)
02/11/2011	19	Letter MOTION to Compel <i>Discovery</i> by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit) (Zabell, Saul) (Entered: 02/11/2011)
02/15/2011		SCHEDULING ORDER: The Court has received the defendants' letter informing the court of a discovery dispute. IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Friday, February 25, 2011 at 2:30 p.m. At that time, counsel

		for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/15/2011. (Cooney, John) (Entered: 02/15/2011)
02/16/2011	20	Letter MOTION to Adjourn Conference <i>scheduled for February 25, 2011 at 2:30 pm</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/16/2011)
02/18/2011		SCHEDULING ORDER:The Court has received the defendants' letter requesting an adjournment of the telephone conference scheduled for February 25, 2011. IT IS HEREBY ORDERED that the telephone conference is rescheduled for Tuesday, March 1, 2011 at 2:30 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/18/2011. (Cooney, John) (Entered: 02/18/2011)
02/22/2011	21	MOTION to Amend/Correct/Supplement 1 Complaint by Donald Zarda. (Attachments: # 1 Exhibit proposed amended complaint) (Antollino, Gregory) (Entered: 02/22/2011)
02/23/2011	22	RESPONSE in Opposition re 21 MOTION to Amend/Correct/Supplement 1 Complaint filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/23/2011)
02/23/2011	23	REPLY in Support re 21 MOTION to Amend/Correct/Supplement 1 Complaint filed by Donald Zarda. (Antollino, Gregory) (Entered: 02/23/2011)
02/28/2011		SCHEDULING ORDER: Due to a conflict in the Court's calendar, the telephone conference concerning the discovery dispute scheduled for March 1, 2011 is rescheduled for Friday, March 4, 2011 at 1:15 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/28/2011. (Cooney, John) (Entered: 02/28/2011)
02/28/2011	24	Letter MOTION to Adjourn Conference <i>currently scheduled for March 4, 2011 at 1:15 p.m.</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/28/2011)
03/02/2011		ORDER granting 24 Motion to Adjourn Conference. The Court has received the defendants' letter requesting an adjournment of the telephone conference concerning the discovery dispute scheduled for March 4, 2011. IT IS HEREBY ORDERED that the telephone conference is rescheduled for Friday, March 11, 2011 at 9:30 a.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/2/2011. (Cooney, John) (Entered: 03/02/2011)
03/09/2011	25	Letter <i>Requesting pre-motion conference</i> by Donald Zarda (Antollino, Gregory) (Entered: 03/08/2011)
03/09/2011		SCHEDULING ORDER: The Court has received the plaintiff's letter, dated March 8, 2011, requesting a pre-motion conference in anticipation of moving to disqualify defendants' counsel. IT IS HEREBY ORDERED that the parties shall discuss this matter at the telephone conference concerning the discovery dispute scheduled for March 11, 2011 at 9:30 a.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/9/2011. (Cooney, John) (Entered: 03/09/2011)
03/10/2011	26	REPLY in Opposition re 25 Letter filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 03/10/2011)
03/11/2011	27	Minute Order. for proceedings held before Judge Joseph F. Bianco:granting 21 Motion to Amend/Correct/Supplement; Telephone Conference held on 3/11/2011. Amended complaint to be filed by 3/18/11 (Court Reporter ftr 9:47 - 10:02.) (Bollbach, Jean) (Entered: 03/11/2011)

03/11/2011	28	AMENDED COMPLAINT against Altitude Express, Inc., Ray Maynard, filed by Donald Zarda. (Antollino, Gregory) (Entered: 03/11/2011)
03/11/2011	29	ORDER granting 19 Motion to Compel; (Amended Pleadings due by 3/18/2011.) The amended complaint shall be filed no later than March 18, 2011. (Signed by: Joseph F. Bianco, United States District Judge, on March 11, 2011). (Fagan, Linda) (Entered: 03/16/2011)
03/22/2011	30	ANSWER to 28 Amended Complaint by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 03/22/2011)
04/08/2011	31	First MOTION to Compel by Donald Zarda. (Attachments: # 1 Exhibit Waiver form) (Antollino, Gregory) (Entered: 04/08/2011)
04/12/2011	32	RESPONSE in Opposition re 31 First MOTION to Compel filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit) (Zabell, Saul) (Entered: 04/12/2011)
04/12/2011	33	REPLY in Support re 31 First MOTION to Compel filed by Donald Zarda. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Antollino, Gregory) (Entered: 04/12/2011)
04/13/2011	34	MOTION to Compel <i>Discovery or Production of Documents under F.R.C.P. 37 et seq.</i> by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Memorandum in Support, # 2 Declaration, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit) (Zabell, Saul) (Entered: 04/13/2011)
04/13/2011	35	MOTION to Strike 34 MOTION to Compel <i>Discovery or Production of Documents under F.R.C.P. 37 et seq. as excessive and in violation of the local rules and the Court's individual rules</i> by Donald Zarda. (Antollino, Gregory) (Entered: 04/13/2011)
04/13/2011	36	Letter <i>in response to Plaintiff's surreply</i> by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 04/13/2011)
04/14/2011	37	RESPONSE in Opposition re 35 MOTION to Strike 34 MOTION to Compel <i>Discovery or Production of Documents under F.R.C.P. 37 et seq. as excessive and in violation of the local rules and the Court's individual rules</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/14/2011)
04/14/2011	38	Letter MOTION for pre motion conference by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit) (Zabell, Saul) (Entered: 04/14/2011)
04/18/2011	39	Letter <i>in response to request for pre-motion conference to quash subpoena</i> by Donald Zarda (Antollino, Gregory) (Entered: 04/18/2011)
05/05/2011	40	Letter <i>concerning new matters in discovery</i> by Donald Zarda (Antollino, Gregory) (Entered: 05/05/2011)
05/05/2011	41	REPLY in Opposition to <i>Plaintiff's 5/5/11 letter concerning new matters in discovery</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 05/05/2011)
05/05/2011	42	Letter <i>in further support of discovery by plaintiff and other relief</i> by Donald Zarda (Antollino, Gregory) (Entered: 05/05/2011)
05/06/2011		ORDER. By letter dated May 5, 2011, plaintiff requests a pre-motion conference on the issue of disqualifying counsel for defendants from representing non-party witnesses. IT IS HEREBY ORDERED that the pre-motion conference requirement is waived. The parties shall adhere to the following briefing schedule for plaintiff's motion. Plaintiff's motion is due June 6, 2011; Defendants' response is due July 6, 2011; Plaintiff's reply is due July 20, 2011. The Court will determine if oral argument is necessary after the matter is fully submitted. IT IS FURTHER ORDERED that plaintiff's pending motion to strike defendants' 176-page discovery motion is denied. IT IS FURTHER ORDERED that the parties abide by the following briefing schedule: plaintiff's opposition is due by May 27,

		2011 and defendants' reply is due June 8, 2011. IT IS FURTHER ORDERED that the page limit requirement is waived for plaintiff's opposition. IT IS FURTHER ORDERED that the Court will consider plaintiff's request to compel plaintiff's deposition after the above-referenced matters are decided. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/6/2011. (Cooney, John) (Entered: 05/06/2011)
05/12/2011	43	Letter <i>regarding Your Honor's May 6, 2011 Order</i> by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 05/12/2011)
05/12/2011	44	Letter <i>in response to defendants' letter of 5/12/11</i> by Donald Zarda (Antollino, Gregory) (Entered: 05/12/2011)
05/27/2011	45	MEMORANDUM in Opposition re 34 MOTION to Compel <i>Discovery or Production of Documents under F.R.C.P. 37 et seq.</i> filed by Donald Zarda. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Antollino, Gregory) (Entered: 05/27/2011)
06/06/2011	46	MOTION to Disqualify Counsel <i>and to hold two witnesses in contempt and for other relief</i> by Donald Zarda. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Errata G) (Antollino, Gregory) (Entered: 06/06/2011)
06/06/2011	47	MEMORANDUM in Support re 46 MOTION to Disqualify Counsel <i>and to hold two witnesses in contempt and for other relief</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 06/06/2011)
06/06/2011	48	MEMORANDUM in Support re 46 MOTION to Disqualify Counsel <i>and to hold two witnesses in contempt and for other relief</i> SIGNED LETTER BRIEF (DOCUMENT # 47 IS UNSIGNED) filed by Donald Zarda. (Antollino, Gregory) (Entered: 06/06/2011)
06/08/2011	49	REPLY in Support re 34 MOTION to Compel <i>Discovery or Production of Documents under F.R.C.P. 37 et seq.</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 06/08/2011)
07/06/2011	50	MEMORANDUM in Opposition re 48 Memorandum in Support filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Declaration of Saul Zabell, Esq.) (Zabell, Saul) (Entered: 07/06/2011)
07/13/2011	51	REPLY in Support re 46 MOTION to Disqualify Counsel <i>and to hold two witnesses in contempt and for other relief</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 07/13/2011)
08/09/2011	52	Letter MOTION for Extension of Time to Complete Discovery by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 08/09/2011)
08/10/2011		SCHEDULING ORDER: IT IS HEREBY ORDERED that oral argument is scheduled for Wednesday, August 24, 2011 at 2:00 p.m. for plaintiff's motion to disqualify counsel from representing non-party witnesses and defendants' motion to compel. In addition, the Court has received defendants' request for an extension of time to complete discovery. IT IS FURTHER ORDERED that a new discovery deadline will be set following the Court's ruling on the pending motions. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/10/2011. (Cooney, John) (Entered: 08/10/2011)
08/10/2011	53	Letter MOTION to Adjourn Conference by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 08/10/2011)
08/11/2011		ORDER granting 53 Motion to Adjourn Conference. By letter dated August 10, 2011, defendants request to adjourn the oral argument scheduled for August 24, 2011 until after Labor Day. IT IS HEREBY ORDERED that, on consent, defendants' request is granted. Oral argument concerning plaintiff's motion to disqualify counsel from representing non-

		party witnesses and defendants' motion to compel is rescheduled for Monday, September 12, 2011 at 3:00 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/11/2011. (Cooney, John) (Entered: 08/11/2011)
08/24/2011	54	Second MOTION to Adjourn Conference <i>for September 12 to September 19</i> by Donald Zarda. (Antollino, Gregory) (Entered: 08/24/2011)
08/24/2011		ORDER granting 54 Motion to Adjourn Conference. By letter dated August 24, 2011, plaintiff requests to adjourn the oral argument scheduled for September 12, 2011 until September 19, 2011 at 4:30 p.m. IT IS HEREBY ORDERED that, on consent, plaintiff's request is granted. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/24/2011. (Cooney, John) (Entered: 08/24/2011)
09/19/2011	55	Minute Entry for proceedings held before Judge Joseph F. Bianco:Oral Argument held on 9/19/2011 at 4:30. Attorney for plaintiff, Gregory Antollino present. Saul Zabell attorney for defendant present. Case called. Conference held. Argument heard. Plaintiff's motion to compel; within 10 days, def's to produce names and addresses of co-workers for 2009 and 2010 summers, names and addresses of two customers at issue and jump log. Defts.' motion to compel plaintiff to produce any facebook communication from 2008-10 that expressed emotional trauma and tax returns. Other financial records related to other company is denied at this juncture. Medical treatment records from 2008-present to be provided to the Court for ex parte in camera review. Denied in all other respects. Plaintiffs' motion to disqualify counsel is denied. Motion for costs denied. Parties to submit deposition schedule, with plaintiff proceeding first, to the Court within two weeks. (Tape #4:41-5:41.) (Padilla, Kristin) (Entered: 10/03/2011)
10/19/2011	56	Letter <i>informing the court as to agreed upon discovery deadline</i> by Donald Zarda (Antollino, Gregory) (Entered: 10/19/2011)
10/20/2011		SCHEDULING ORDER: IT IS HEREBY ORDERED that discovery in this case shall end on March 23, 2012. The parties shall participate in a telephone conference on Wednesday, April 4, 2012 at 11:00 a.m. At that time, counsel for the plaintiff shall initiate the call, and once all parties are on the line, shall contact chambers at (631)712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/20/2011. (Maxwell, Rita) (Entered: 10/20/2011)
11/15/2011	57	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone status Conference held on 11/15/2011; RE: deposition dispute. Non-party witnesses David Kenglo and Rose Orellana want to be deposed together at the same time. Court rules that the non-party witnesses will be deposed separately and will not be present at each other's deposition. (Tape #ftr 1:32 - 1:41.) (Bollbach, Jean) (Entered: 11/16/2011)
11/18/2011		Magistrate Judge Gary R. Brown added. Magistrate Judge Arlene R. Lindsay no longer assigned to case. (Bowens, Priscilla) (Entered: 11/18/2011)
12/09/2011		ORDER terminating 52 Motion for Extension of Time to Complete Discovery. Motion terminated. See Scheduling Order dated October 20, 2011. Ordered by Judge Joseph F. Bianco on 12/9/2011. (Maxwell, Rita) (Entered: 12/09/2011)
12/09/2011		ORDER terminating 35 Motion to Strike. Motion terminated. See Order dated May 6, 2011. Ordered by Judge Joseph F. Bianco on 12/9/2011. (Maxwell, Rita) (Entered: 12/09/2011)
12/12/2011		ORDER terminating 31 Motion to Compel; terminating 34 Motion to Compel; terminating 38 Motion for Pre Motion Conference; terminating 46 Motion to Disqualify Counsel. Motions terminated. See Docket Entry 55. Ordered by Judge Joseph F. Bianco on 12/12/2011. (Maxwell, Rita) (Entered: 12/12/2011)

12/15/2011	58	MOTION for Discovery <i>to compel a subpoena</i> by Donald Zarda. (Attachments: # 1 Exhibit) (Antollino, Gregory) (Entered: 12/15/2011)
12/15/2011		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Friday, December 16, 2011 at 9:30 a.m. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 12/15/2011. (Maxwell, Rita) (Entered: 12/15/2011)
12/16/2011	59	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone status Conference held on 12/16/2011 - re: deposition dispute. Deposition to take place 12/21/11 as discussed on the record (Tape #ftr 9:40 - 9:46.) (Bollbach, Jean) (Entered: 12/16/2011)
12/16/2011		ORDER terminating 58 Motion for Discovery, Motion terminated. See docket entry 59. Ordered by Judge Joseph F. Bianco on 12/16/2011. (Maxwell, Rita) (Entered: 12/16/2011)
02/18/2012	60	Letter <i>requesting briefing schedule, etc.</i> by Donald Zarda (Antollino, Gregory) (Entered: 02/18/2012)
02/21/2012		SCHEDULING ORDER: By letter dated February 18, 2012, plaintiff requests a briefing schedule regarding outstanding discovery disputes. IT IS HEREBY ORDERED that the parties shall abide by the following briefing schedule: motions regarding outstanding discovery shall be filed by March 21, 2012; oppositions shall be filed by April 23, 2012; reply briefs shall be filed by May 7, 2012; oral argument shall be held on Wednesday, June 13, 2012 at 2:00 p.m. IT IS FURTHER ORDERED that the page limitations of the Local Rules are waived for this briefing. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/21/2012. (Maxwell, Rita) (Entered: 02/21/2012)
03/21/2012	61	Second MOTION to Compel , Second MOTION for Sanctions , Second MOTION for Extension of Time to Complete Discovery by Donald Zarda. (Antollino, Gregory) (Entered: 03/21/2012)
03/21/2012	62	DECLARATION re 61 Second MOTION to Compel Second MOTION for Sanctions Second MOTION for Extension of Time to Complete Discovery by Donald Zarda (Attachments: # 1 Exhibit A-Maynard Dep., # 2 Exhibit B-Picture of timer, # 3 Exhibit C- Winstock Dep, # 4 Exhibit D-Orellana Dep., # 5 Exhibit E-Kengle Dep., # 6 Exhibit F-Callanan Dep., # 7 Exhibit G- D's response to P's 2d ComBined demand, # 8 Exhibit H- Apparent Ripoff Report Complaint, # 9 Exhibit I- Apparent REsponse by Maynard to Ripoff report, # 10 Exhibit J Declaration of Saul Zabell, # 11 Exhibit K- emails between Antollino and Zabell, # 12 Exhibit L - portion of deposition in unrelated case, # 13 Exhibit M - portion of defendants' amended document response, # 14 Exhibit N - Letter from Zabell to Antollino, # 15 Exhibit O - Letter from Zabell to Court, # 16 Exhibit P - email to defendant regarding Zarda, # 17 Exhibit Q- Letter of Saul Zabell to Court 4/12/11, # 18 Exhibit R- Sanchez declaration, # 19 Exhibit S - portions of deposition of Donald Zarda) (Antollino, Gregory) (Entered: 03/21/2012)
03/21/2012	63	MEMORANDUM in Support re 61 Second MOTION to Compel Second MOTION for Sanctions Second MOTION for Extension of Time to Complete Discovery filed by Donald Zarda. (Antollino, Gregory) (Entered: 03/21/2012)
04/03/2012		ORDER. In light of the on-going briefing and upcoming oral argument regarding the parties' discovery disputes, IT IS HEREBY ORDERED that the conference scheduled for April 4, 2012 is canceled. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/3/2012. (Maxwell, Rita) (Entered: 04/03/2012)
04/23/2012	64	MEMORANDUM in Opposition <i>to Plaintiff's Motion to Compel</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/23/2012)

04/23/2012	65	AFFIDAVIT/DECLARATION in Opposition re 61 Second MOTION to Compel Second MOTION for Sanctions Second MOTION for Extension of Time to Complete Discovery of <i>Saul Zabell</i> filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6) (Zabell, Saul) (Entered: 04/23/2012)
05/07/2012	66	REPLY in Support re 61 Second MOTION to Compel Second MOTION for Sanctions Second MOTION for Extension of Time to Complete Discovery filed by Donald Zarda. (Attachments: # 1 Exhibit A - portion Zarda Dep.) (Antollino, Gregory) (Entered: 05/07/2012)
05/14/2012	67	Letter <i>Regarding Plaintiff's Request for Sanctions</i> by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 05/14/2012)
05/14/2012	68	Letter <i>in response to Mr. Zabell's request to expand the record</i> by Donald Zarda (Antollino, Gregory) (Entered: 05/14/2012)
05/15/2012	69	Letter <i>in further response to Mr. Zabell's May 14 letter</i> by Donald Zarda (Attachments: # 1 Exhibit documents referenced in letter) (Antollino, Gregory) (Entered: 05/15/2012)
06/12/2012	70	Letter <i>regarding additional information for the June 13 oral argument</i> by Donald Zarda (Attachments: # 1 Exhibit 1 Transcript, # 2 Exhibit 2 Subpoena from Zabell 5/24, # 3 Exhibit 3 Email cancelling deposition) (Antollino, Gregory) (Entered: 06/12/2012)
06/13/2012	71	Minute Entry for proceedings held before Judge Joseph F. Bianco:Oral Argument held on 6/13/2012 - letter to be submitted to the court by 6/20/12. Letter response to be submitted to the court by 6/17/12. Discovery is extended to 11/30/12 (Bollbach, Jean) (Entered: 06/14/2012)
06/20/2012	72	First MOTION for Protective Order by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Zabell, Saul) (Entered: 06/20/2012)
06/22/2012	73	REPLY to Response to Motion re 72 First MOTION for Protective Order <i>and CROSS MOTION for certain relief</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 06/22/2012)
06/26/2012	74	REPLY to Response to Motion re 72 First MOTION for Protective Order filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 06/26/2012)
07/17/2012	75	ORDER denying 72 Motion for Protective Order. ORDERED that plaintiff is entitles to documentation regarding the days in which he worked but did not jump. Ordered by Judge Joseph F. Bianco on 7/17/2012. (Bollbach, Jean) (Entered: 07/18/2012)
07/20/2012	76	MOTION in Limine <i>to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition</i> by Donald Zarda. (Antollino, Gregory) (Entered: 07/20/2012)
07/20/2012	77	DECLARATION re 76 MOTION in Limine <i>to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition declaration of Kenji Yoshino</i> by Donald Zarda (Attachments: # 1 Exhibit A-Yoshino Report, # 2 Exhibit B-Yoshino cv, # 3 Exhibit C- Subpoena & letter from Zabell, # 4 Exhibit D - Yohsino's hours of preparation before cancellation of deposition) (Antollino, Gregory) (Entered: 07/20/2012)
07/20/2012	78	DECLARATION re 76 MOTION in Limine <i>to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition Declaration of Gregory Antollino</i> by Donald Zarda (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4) (Antollino, Gregory) (Entered: 07/20/2012)

07/20/2012	79	MEMORANDUM in Support re 76 MOTION in Limine to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition filed by Donald Zarda. (Antollino, Gregory) (Entered: 07/20/2012)
07/20/2012	80	Letter regarding motion by Donald Zarda (Antollino, Gregory) (Entered: 07/20/2012)
07/20/2012	81	Letter requesting permission to move if defendants do not produce previously ordeed discovery within a reasonable time by Donald Zarda (Antollino, Gregory) (Entered: 07/20/2012)
07/27/2012	82	Letter responding to Plaintiff's request to move if Defendants do not produce discovery within a reasonable time by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 07/27/2012)
08/06/2012	83	Letter regarding Defendants' Opposition to Plaintiff's Request for the Admission of Expert Testimony and Payment of Fees by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 08/06/2012)
08/06/2012	84	MEMORANDUM in Opposition to Plaintiff's Request for Admission of Expert Testimony and Payment of Preparation Fees filed by All Defendants. (Zabell, Saul) (Entered: 08/06/2012)
08/06/2012	85	DECLARATION re 84 Memorandum in Opposition to Plaintiff's Request for Admission of Expert Testimony and Payment of Preparation Fees by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 08/06/2012)
08/07/2012	86	MOTION for Extension of Time to File Response/Reply as to 79 Memorandum in Support, 77 Declaration, 76 MOTION in Limine to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition, 81 Letter, 82 Letter, 83 Letter, 84 Memorandum in Opposition, 80 Letter, 78 Declaration, 85 Declaration by Donald Zarda. (Antollino, Gregory) (Entered: 08/07/2012)
08/08/2012		ORDER granting 86 Motion for Extension of Time to File Response/Reply. By letter dated August 7, 2012, plaintiff's counsel requests that he be allowed to file his motion in limine reply brief by August 31, 2012. IT IS HEREBY ORDERED that plaintiff's request is granted. Plaintiff may file his reply brief on or before August 31, 2012. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/8/2012. (Maxwell, Rita) (Entered: 08/08/2012)
08/31/2012	87	REPLY in Support re 76 MOTION in Limine to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition (Reply Declaration & Exhibits) filed by Donald Zarda. (Attachments: # 1 Exhibit Exhibits A-D, # 2 Exhibit Exhibit E, # 3 Exhibit Exhibit F) (Antollino, Gregory) (Entered: 08/31/2012)
08/31/2012	88	REPLY in Support re 76 MOTION in Limine to admit Professor Kenji Yoshino's Opinion and to make defendant pay for 8.75 hours of preparation time for a deposition REEPLY MEMO filed by Donald Zarda. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Antollino, Gregory) (Entered: 08/31/2012)
09/07/2012	89	Letter regarding defendant's continued failure to produce discovery ordered in June by Donald Zarda (Antollino, Gregory) (Entered: 09/07/2012)
09/10/2012	90	Letter application to file surreply by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 09/10/2012)
09/10/2012	91	Letter in opposition to sur-reply by Donald Zarda (Antollino, Gregory) (Entered: 09/10/2012)
09/10/2012	92	Letter in response to Plaintiff's ecf filing Document 89 by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 09/10/2012)

09/11/2012		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in oral argument on Thursday, October 4, 2012, at 4:30 p.m., regarding plaintiff's in limine motion filed July 20, 2012 and the recent correspondence of the parties. No oral argument will be held on September 12, 2012. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/11/2012. (Maxwell, Rita) (Entered: 09/11/2012)
10/03/2012	93	Letter <i>re status of discovery ordered in June</i> by Donald Zarda (Antollino, Gregory) (Entered: 10/03/2012)
10/04/2012	94	Minute Entry for proceedings held before Judge Joseph F. Bianco:Status Conference/oral argument held on 10/4/2012 - argument heard - decision reserved (Tape #ftr 4:51 - 5:48.) (Bollbach, Jean) (Entered: 10/05/2012)
10/06/2012	95	Letter <i>regarding documents produced and follow up on Sassaman v. Ganache</i> by Donald Zarda (Antollino, Gregory) (Entered: 10/06/2012)
10/17/2012	96	STIPULATION AND PROPOSED ORDER FOR COURT'S SIGNATURE by Donald Zarda (Antollino, Gregory) (Entered: 10/17/2012)
10/19/2012	97	ORDER OF CONFIDENTIALITY: for the protection and exchange of confidential information and documents. See order for full details.. Ordered by Judge Joseph F. Bianco on 10/19/2012. (Bollbach, Jean) (Entered: 10/25/2012)
11/06/2012	98	Second MOTION to Compel <i>additional time to depose Ray Maynard based on new additional factors</i> by Donald Zarda. (Attachments: # 1 Affidavit of Ray Maynard, # 2 decision referenced in letter) (Antollino, Gregory) (Entered: 11/06/2012)
11/07/2012	99	RESPONSE in Opposition re 98 Second MOTION to Compel <i>additional time to depose Ray Maynard based on new additional factors</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 11/07/2012)
11/07/2012	100	REPLY in Support re 98 Second MOTION to Compel <i>additional time to depose Ray Maynard based on new additional factors</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 11/07/2012)
11/08/2012		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Tuesday, November 13, 2012 at 9:00 a.m. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/8/2012. (Samplin, Ilissa) (Entered: 11/08/2012)
11/08/2012	101	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 10/4/2012, before Judge Joseph F. Bianco. Transcriber Terry Gribben's Transcription Service, Telephone number 732-263-0044. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/29/2012. Redacted Transcript Deadline set for 12/10/2012. Release of Transcript Restriction set for 2/6/2013. (Russo, Eric) (Entered: 11/08/2012)
11/09/2012	102	Letter MOTION to Adjourn Conference <i>to an alternate time</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 11/09/2012)
11/09/2012		ORDER granting 102 Motion to Adjourn Conference. By letter dated November 9, 2012, defendants' counsel requests, on consent, an adjournment of the telephone conference scheduled for Tuesday, November 13, 2012 at 9:00 a.m. to a time later in the day. Unfortunately, a time later in the day is not available. IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Wednesday, November 14, 2012 at 9:00 a.m. At that time, counsel for plaintiff shall initiate the call and, once all parties

		are on the line, contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/9/2012. (Samplin, Ilissa) (Entered: 11/09/2012)
11/14/2012	103	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 11/14/2012 (Tape #ftr 9:20 - 9:30.) (Bollbach, Jean) (Entered: 11/14/2012)
11/30/2012	104	Letter MOTION for pre motion conference <i>regarding Summary Judgment</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 11/30/2012)
11/30/2012		ORDER granting 104 Motion for Pre Motion Conference. The Court has received defendants' letter requesting a pre-motion conference in anticipation of moving for summary judgment. IT IS HEREBY ORDERED that the parties shall participate in a telephone pre-motion conference on Monday, December 17, 2012 at 4:30 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. Prior to the date of the conference, plaintiff may submit a letter pursuant to Individual Rule III.A explaining why the proposed motion is likely to be unsuccessful. SO ORDERED. Ordered by Judge Joseph F. Bianco on 11/30/2012. (Samplin, Ilissa) (Entered: 11/30/2012)
11/30/2012	105	MOTION to Adjourn Conference <i>Actually to advance the conference would be a more accurate word to characterize my request.</i> by Donald Zarda. (Antollino, Gregory) (Entered: 11/30/2012)
12/03/2012		ORDER granting 105 Motion to Adjourn Conference. The Court has received plaintiff's letter dated November 30, 2012, requesting that the pre-motion conference be moved. IT IS HEREBY ORDERED that the pre-motion conference is now scheduled for Thursday, December 13, 2012 at 3:00 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. Prior to the date of the conference, plaintiff may submit a letter pursuant to Individual Rule III.A explaining why the proposed motion is likely to be unsuccessful. SO ORDERED. Ordered by Judge Joseph F. Bianco on 12/3/2012. (Samplin, Ilissa) (Entered: 12/03/2012)
12/04/2012	106	Letter <i>in response to defendant's pre-motion letter</i> by Donald Zarda (Attachments: # 1 Exhibit) (Antollino, Gregory) (Entered: 12/04/2012)
12/13/2012	107	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone status Conference held on 12/13/2012 - motion to be filed by 1/28/13; response and cross motion by 3/13/13; reply and opposition by 3/27/13; reply by 4/10/13; oral argument 5/29/13 at 4:30 pm (Tape #ftr 3:10 - 3:15.) (Bollbach, Jean) (Entered: 12/13/2012)
12/28/2012	108	First MOTION for Extension of Time to File <i>Summary Judgment</i> by Altitude Express, Inc.. (Zabell, Saul) (Entered: 12/28/2012)
12/28/2012		ORDER granting 108 Motion for Extension of Time to File: By letter dated December 28, 2012, defendants request on consent an extension of time to file their motion for summary judgment. IT IS HEREBY ORDERED that defendants' request is granted. Motion to be filed by February 11, 2013; Response and cross motion to be filed by March 27, 2013; Reply and opposition to be filed by April 10, 2013; Reply to be filed by May 1, 2013. Oral argument remains on Wednesday, May 29, 2013 at 4:30 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 12/28/2012. (Pilmar, Philip) (Entered: 12/28/2012)
02/11/2013	109	MEMORANDUM in Support of <i>Defendants' Motion for Summary Judgment</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/11/2013)
02/11/2013	110	RULE 56.1 STATEMENT <i>in Support of Defendants' Motion for Summary Judgment</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/11/2013)
02/11/2013	111	AFFIDAVIT/DECLARATION in Support re 104 Letter MOTION for pre motion

		conference <i>regarding Summary Judgment , Defendants' Motion for Summary Judgment</i> filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16) (Zabell, Saul) (Entered: 02/11/2013)
02/19/2013		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference on Wednesday, February 20, 2013 at 1:30 p.m at which time the Court will rule on plaintiff's expert motion. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/19/2013. (Samplin, Ilissa) (Entered: 02/19/2013)
02/19/2013	112	First MOTION to Adjourn Conference <i>for 2/20/13</i> by Donald Zarda. (Antollino, Gregory) (Entered: 02/19/2013)
02/19/2013		ORDER granting 112 Motion to Adjourn Conference. The Court has received counsel for plaintiff's letter requesting an adjournment of the oral ruling scheduled for Wednesday, February 20, 2013. IT IS HEREBY ORDERED that counsel's request is granted. The telephone conference is rescheduled for Friday, February 22, 2013 at 1:00 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/19/2013. (Samplin, Ilissa) (Entered: 02/19/2013)
02/22/2013	113	Minute Entry for proceedings held before Judge Joseph F. Bianco:Status Conference/bench ruling held on 2/22/2013 - decision made on the record (Tape #ftr 1:18 - 1:40.) (Bollbach, Jean) (Entered: 02/22/2013)
02/22/2013	114	ORDER terminating 76 Motion in Limine - plaintiffs motion to admit the expert testimony of Processor Kenji Yoshino is denied and plaintiffs motion for payment of fees is granted, but modified amount of \$1,837.50. Ordered by Judge Joseph F. Bianco on 2/22/2013. (Bollbach, Jean) (Entered: 02/25/2013)
03/08/2013	115	First MOTION for Extension of Time to File <i>response and cross motion</i> by Donald Zarda. (Antollino, Gregory) (Entered: 03/08/2013)
03/13/2013	116	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 2/22/2013, before Judge Joseph F. Bianco. Transcriber Aria Services, Inc., Telephone number 845-260-1377. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/3/2013. Redacted Transcript Deadline set for 4/15/2013. Release of Transcript Restriction set for 6/11/2013. (Russo, Eric) (Entered: 03/13/2013)
03/14/2013		ORDER granting 115 Motion for Extension of Time to File. The Court has received counsel for plaintiff's letter dated March 8, 2013 requesting, on consent, a one-week extension of time to file a response and cross motion for summary judgment. IT IS HEREBY ORDERED that plaintiff's request is granted. Response and cross motion to be filed by April 3, 2013; Reply and opposition to be filed by April 17, 2013; Reply to be filed by May 8, 2013. Oral argument remains on Wednesday, May 29, 2013 at 4:30 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/14/2013. (Samplin, Ilissa) (Entered: 03/14/2013)
03/26/2013	117	Second MOTION for Extension of Time to File <i>SJ/Response to SJ</i> by Donald Zarda. (Antollino, Gregory) (Entered: 03/26/2013)
03/26/2013		ORDER granting 117 Motion for Extension of Time to File. The Court has received counsel for plaintiff's letter dated March 26, 2013 requesting a one week extension of time to file his response and cross motion for summary judgment. IT IS HEREBY

		ORDERED that counsel for plaintiff's request is granted. IT IS FURTHER ORDERED that the parties shall abide by the following modified briefing schedule: response and cross motion to be filed by April 10, 2013; reply and opposition to be filed by April 24, 2010; reply to be filed by May 15, 2013. Oral argument remains on Wednesday, May 29, 2013 at 4:30 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/26/2013. (Samplin, Ilissa) (Entered: 03/26/2013)
04/03/2013	119	MOTION for Leave to Electronically File Document under Seal <i>documents faxed on 4/3/2013</i> , MOTION to Seal Document by Donald Zarda. (Antollino, Gregory) (Entered: 04/03/2013)
04/04/2013	120	RESPONSE in Opposition re 119 MOTION for Leave to Electronically File Document under Seal <i>documents faxed on 4/3/2013</i> MOTION to Seal Document filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/04/2013)
04/04/2013	121	REPLY in Support re 119 MOTION for Leave to Electronically File Document under Seal <i>documents faxed on 4/3/2013</i> MOTION to Seal Document filed by Donald Zarda. (Antollino, Gregory) (Entered: 04/04/2013)
04/05/2013		ORDER denying 119 Motion for Leave to Electronically File Document under Seal. The Court has received counsel for plaintiff's motion to file documents under seal. Having reviewed the documents, the Court sees no basis for them to be filed under seal, other than the social security number referenced in the documents. IT IS HEREBY ORDERED that plaintiff's counsel shall electronically file a redacted version of the documents (with only the social security numbers redacted). SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/5/2013. (Samplin, Ilissa) (Entered: 04/05/2013)
04/07/2013	122	RULE 56.1 STATEMENT <i>in opposition to defendants</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013	123	Third MOTION for Extension of Time to File <i>motion/cross motion for one day because of ecf failure and electrical outage</i> by Donald Zarda. (Attachments: # 1 Exhibit) (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013		ORDER granting 123 Motion for Extension of Time to File. The Court has received counsel for plaintiff's letter dated April 8, 2013 requesting a one day extension to file opposition papers. IT IS HEREBY ORDERED that counsel for plaintiff's request is granted. Plaintiff shall file his opposition papers by April 9, 2013. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/8/2013. (Samplin, Ilissa) (Entered: 04/08/2013)
04/08/2013	124	Letter <i>regarding continuing problems with ecf and my solution</i> by Donald Zarda (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013	125	AFFIDAVIT/DECLARATION in Opposition re 104 Letter MOTION for pre motion conference <i>regarding Summary Judgment IN ACTUAL OPPOSITION TO SUMMARY JUDGMENT AS A RESULT OF ECF PROBLEMS</i> filed by Donald Zarda. (Attachments: # 1 Exhibit AA Part 1, # 2 Exhibit AA Part 2, # 3 Exhibit AA Part 3, # 4 Exhibit AA Part 4, # 5 Exhibit AA Part 5, # 6 Exhibit BB, # 7 Exhibit CC, # 8 Exhibit DD, # 9 Exhibit EE, # 10 Exhibit FF) (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013	126	AFFIDAVIT/DECLARATION in Opposition re 104 Letter MOTION for pre motion conference <i>regarding Summary Judgment IN ACTUAL OPPOSITION TO SUMMARY JUDGMENT AS A RESULT OF ECF PROBLEMS</i> filed by Donald Zarda. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F&G) (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013	127	RESPONSE in Opposition re 104 Letter MOTION for pre motion conference <i>regarding Summary Judgment ZARDA DECLARATION CONCERNING WAGES</i> filed by Donald

		Zarda. (Attachments: # 1 Exhibit A,B,C,D) (Antollino, Gregory) (Entered: 04/08/2013)
04/08/2013	128	AFFIDAVIT/DECLARATION in Opposition re 104 Letter MOTION for pre motion conference <i>regarding Summary Judgment BY GREGORY ANTOLLINO IN ACTUAL OPPOSITION TO SUMMARY JUDGMENT AS A RESULT OF ECF PROBLEMS</i> filed by Donald Zarda. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S,T,U,V, # 20 Exhibit W, # 21 X,Y,Z) (Antollino, Gregory) (Entered: 04/08/2013)
04/09/2013	129	RULE 56.1 STATEMENT <i>In support of plaintiff's motion and in further opposition under Rule 56.1(b) to defendant's motion</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 04/09/2013)
04/09/2013	130	Letter <i>regarding 2 errata in plaintiff's counter 56.1 statement in opposition to defendant's motion</i> by Donald Zarda (Antollino, Gregory) (Entered: 04/09/2013)
04/09/2013	131	MEMORANDUM in Support <i>and in opposition to defenendants'</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 04/10/2013)
04/10/2013	132	MOTION for Partial Summary Judgment by Donald Zarda. Responses due by 4/24/2013 (Antollino, Gregory) (Entered: 04/10/2013)
04/10/2013	133	Letter <i>summarizing materials submitted for and against summary judgment</i> by Donald Zarda (Antollino, Gregory) (Entered: 04/10/2013)
04/12/2013	134	Letter <i>concerning 3 errata in memo of law</i> by Donald Zarda (Antollino, Gregory) (Entered: 04/12/2013)
04/15/2013	135	Letter MOTION for Extension of Time to File <i>Defendants' Reply and Opposition</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/15/2013)
04/15/2013		ORDER granting 135 Motion for Extension of Time to File. The Court has received counsel for defendants' letter dated April 15, 2013 requesting, on consent, an extension of the briefing schedule for the motions for summary judgment. IT IS HEREBY ORDERED that defendants' shall respond no later than May 3, 2013 and plaintiff shall reply no later than May 24, 2013. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/15/2013. (Samplin, Ilissa) (Entered: 04/15/2013)
05/03/2013	136	RULE 56.1 STATEMENT re 132 MOTION for Partial Summary Judgment <i>in Opposition</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 05/03/2013)
05/03/2013	137	MEMORANDUM in Opposition re 132 MOTION for Partial Summary Judgment , REPLY in Support of <i>Defendants' Motion for Summary Judgment</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 05/03/2013)
05/19/2013	138	REPLY to Response to Motion re 104 Letter MOTION for pre motion conference <i>regarding Summary Judgment</i> , 132 MOTION for Partial Summary Judgment , REPLY in Support re 132 MOTION for Partial Summary Judgment filed by Donald Zarda. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Antollino, Gregory) (Entered: 05/19/2013)
05/20/2013	139	Letter MOTION to Strike <i>a portion of Plaintiff's Reply Memorandum</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 05/20/2013)
05/20/2013	140	RESPONSE in Opposition re 139 Letter MOTION to Strike <i>a portion of Plaintiff's Reply Memorandum or for other relief</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 05/20/2013)
05/28/2013		SCHEDULING ORDER: IT IS HEREBY ORDERED that, due to a conflict in

		Chambers, oral argument is rescheduled for Tuesday, June 4, 2013 at 3:00 p.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/28/2013. (Samplin, Ilissa) (Entered: 05/28/2013)
05/28/2013	141	First MOTION to Adjourn Conference of June 4 to June 6 by Donald Zarda. (Antollino, Gregory) (Entered: 05/28/2013)
05/28/2013		ORDER granting 141 Motion to Adjourn Conference. The Court has received counsel for plaintiff's letter dated May 28, 2013, requesting that oral argument be rescheduled for June 6, 2013. IT IS HEREBY ORDERED that oral argument will now take place on Thursday, June 6, 2013 at 11:30 a.m. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/28/2013. (Samplin, Ilissa) (Entered: 05/28/2013)
06/06/2013	142	Minute Entry for proceedings held before Judge Joseph F. Bianco:Oral Argument held on 6/6/2013; decision reserved(Tape #ftr 11:51 - 12:50.) (Bollbach, Jean) (Entered: 06/07/2013)
06/15/2013	143	Letter re good faith basis for \$75000 in controversy in the contingency the court dismisses the Title VII claim by Donald Zarda (Antollino, Gregory) (Entered: 06/15/2013)
07/28/2013	144	NOTICE of Change of address by Gregory S. Antollino (Antollino, Gregory) (Entered: 07/28/2013)
03/07/2014		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Friday, March 28, 2014, at 3:00 p.m. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/7/2014. (Chipev, George) (Entered: 03/07/2014)
03/28/2014	145	ORDER denying 132 Motion for Partial Summary Judgment; denying 139 Motion to Strike; granting in part and denying in part 109 Memorandum in Support [Defendants' Motion for Summary Judgment]. For the reasons set forth on the record on March 28, 2014, IT IS HEREBY ORDERED that defendants' motion for summary judgment (see D.E. 109) is granted in part and denied in part, that plaintiff's motion for partial summary judgment is denied in its entirety, and that defendants' motion to strike is denied. See Order for additional details. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/28/2014. (Chipev, George) (Entered: 03/28/2014)
03/28/2014	146	AMENDED COMPLAINT (second) against All Defendants, filed by Donald Zarda. (Antollino, Gregory) (Entered: 03/28/2014)
03/28/2014	147	Letter to Judge Bianco regarding filed Second Amended Complaint and discovery in first amended complaint by Donald Zarda (Antollino, Gregory) (Entered: 03/28/2014)
03/28/2014	149	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 3/28/2014; decision made on the record. See court order (Tape #ftr 3:07 - 3:33.) (Bollbach, Jean) (Entered: 03/31/2014)
03/30/2014	148	NOTICE of Appearance by Richard J. Cardinale on behalf of Donald Zarda (aty to be noticed) (Cardinale, Richard) (Entered: 03/30/2014)
04/01/2014	150	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 3/28/2014, before Judge Joseph F. Bianco. Transcriber Tracy Gribben's Transcription Service, Telephone number 732- 263-0044. Email address: TGribben@transcription.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/22/2014. Redacted Transcript Deadline set for 5/2/2014. Release of Transcript Restriction set for 6/30/2014. (Cox, Dwayne) (Entered: 04/01/2014)

04/03/2014	151	Letter MOTION for pre motion conference (<i>anticipated motion to strike and dismiss</i>) by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/03/2014)
04/03/2014	152	RESPONSE in Opposition re 151 Letter MOTION for pre motion conference (<i>anticipated motion to strike and dismiss</i>) filed by Donald Zarda. (Antollino, Gregory) (Entered: 04/03/2014)
04/04/2014		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Wednesday, April 9, 2014, at 4:00 p.m. to address defendants' request to move to strike and dismiss. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/4/2014. (Chipev, George) (Entered: 04/04/2014)
04/09/2014		ORDER. For the reasons set forth on the record during the telephone conference on April 9, 2014, the Court strikes plaintiff's second amended complaint. The request for a pre-motion conference is terminated as moot. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/9/2014. (Chipev, George) (Entered: 04/09/2014)
04/09/2014		ORDER terminating 151 Motion for Pre Motion Conference. Ordered by Judge Joseph F. Bianco on 4/9/2014. (Chipev, George) (Entered: 04/09/2014)
04/09/2014	153	Minute Entry for proceedings held before Judge Joseph F. Bianco:Status telephone Conference held on 4/9/2014 (Tape #ftr 4:40 - 4:44.) (Bollbach, Jean) (Entered: 04/10/2014)
04/15/2014	154	Notice of MOTION to Dismiss for Lack of Jurisdiction (<i>Diversity</i>) by Altitude Express, Inc., Ray Maynard. Responses due by 4/25/2014 (Attachments: # 1 Declaration Declaration of Saul D. Zabell, # 2 Exhibit Exhibit 1, # 3 Memorandum in Support Memorandum of Law in Support) (Zabell, Saul) (Entered: 04/15/2014)
04/15/2014	155	RESPONSE in Opposition re 154 Notice of MOTION to Dismiss for Lack of Jurisdiction (<i>Diversity</i>) filed by Donald Zarda. (Attachments: # 1 2013 Letter) (Antollino, Gregory) (Entered: 04/15/2014)
04/29/2014	156	REPLY in Support re 154 Notice of MOTION to Dismiss for Lack of Jurisdiction (<i>Diversity</i>) filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/29/2014)
04/30/2014		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Thursday, May 8, 2014, at 4:00 p.m. At that time, counsel for defendants shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. During the conference, the Court intends to issue an oral ruling on the pending motion to dismiss. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/30/2014. (Chipev, George) (Entered: 04/30/2014)
05/08/2014	157	MINUTE ENTRY/Order for proceedings held before Judge Joseph F. Bianco: Civil Cause for Telephone Conference held on 5/8/14 at 4:21 p.m. FTR: 4:21-4:29. Case called. Counsel for all sides present. Conference held. Motion to dismiss based on amount in controversy denied. Pretrial order due 6/9/14.(Tape #4:21-4:29.) Terminating 154 Motion to Dismiss for Lack of Jurisdiction as denied. (Tape #4:21-4:29.) (Coleman, Laurie) (Entered: 05/09/2014)
05/08/2014	158	ORDER re 154 Notice of MOTION to Dismiss for Lack of Jurisdiction (<i>Diversity</i>) filed by Ray Maynard, Altitude Express, Inc. For the reasons set forth on the record during the telephone conference on May 8, 2014, defendants' motion to dismiss is denied.. Ordered by Judge Joseph F. Bianco on 5/8/2014. (Bollbach, Jean) (Entered: 05/13/2014)

06/05/2014	159	MOTION for More Definite Statement <i>as to witness knowledge AND their contact information or to eliminate 50 of the 60 names on defendants' witness list</i> by Donald Zarda. (Antollino, Gregory) (Entered: 06/05/2014)
06/05/2014	160	RESPONSE in Opposition re 159 MOTION for More Definite Statement <i>as to witness knowledge AND their contact information or to eliminate 50 of the 60 names on defendants' witness list</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 06/05/2014)
06/06/2014		SCHEDULING ORDER: By letter dated June 5, 2014, plaintiff requests an extension of time to file the pretrial order because of issues with defendants' witness list. IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Tuesday, June 10, 2014, at 4:30 p.m. to address this issue. At that time, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. The Court shall set a new date for filing the pretrial order during the conference. SO ORDERED. Ordered by Judge Joseph F. Bianco on 6/6/2014. (Chipev, George) (Entered: 06/06/2014)
06/06/2014	161	REPLY in Support re 159 MOTION for More Definite Statement <i>as to witness knowledge AND their contact information or to eliminate 50 of the 60 names on defendants' witness list</i> filed by Donald Zarda. (Antollino, Gregory) (Entered: 06/06/2014)
06/09/2014	162	MOTION for Extension of Time to File <i>JPTO until the court rules on the previous motion</i> by Donald Zarda. (Antollino, Gregory) (Entered: 06/09/2014)
06/09/2014		ORDER finding as moot 162 Motion for Extension of Time to File. As noted in the Court's scheduling order dated June 6, 2014, the Court shall set a new date to file the pretrial order pending the telephone conference scheduled for June 10, 2014. Accordingly, plaintiff's motion for an extension of time is denied as moot. SO ORDERED. Ordered by Judge Joseph F. Bianco on 6/9/2014. (Chipev, George) (Entered: 06/09/2014)
06/09/2014	163	Letter <i>explaining confusion as to previous motion</i> by Donald Zarda (Antollino, Gregory) (Entered: 06/09/2014)
06/10/2014		ORDER terminating 159 Motion for More Definite Statement. As set forth on the record during the telephone conference on June 10, 2014, IT IS HEREBY ORDERED that the pretrial order, which should include information about the proposed defense witnesses, shall be due by June 17, 2014. IT IS FURTHER ORDERED that plaintiff submit a letter to the Court by August 5, 2014, detailing any disputed objections to the designations. SO ORDERED. Ordered by Judge Joseph F. Bianco on 6/10/2014. (Chipev, George) (Entered: 06/10/2014)
06/10/2014	164	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 6/10/2014; pretrial order due by 6/7/14; letter to Mr. Antollino by 7/7/14; letter to be submitted to the court by 8/5/14 (Tape #ftr 4:41 - 5:01.) (Bollbach, Jean) (Entered: 06/11/2014)
06/17/2014	165	Letter <i>regarding Joint Pre-Trial Order</i> by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Proposed Order Partially Executed Pre-Trial Order) (Zabell, Saul) (Entered: 06/17/2014)
06/18/2014	166	Letter <i>objecting to unilateral filing of JPTO simply because defendants didn't like what I put truthfully in my portion of the document</i> by Donald Zarda (Antollino, Gregory) (Entered: 06/18/2014)
06/19/2014	167	Letter <i>regarding plaintiff's 6-17-14 letter</i> by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 06/19/2014)

06/19/2014		ORDER. IT IS HEREBY ORDERED that counsel for plaintiff may submit a pretrial order signed by him including the disputed statement. No conference is necessary at this time. Ordered by Judge Joseph F. Bianco on 6/19/2014. (Chipev, George) (Entered: 06/19/2014)
06/19/2014	168	Letter documenting Mr. Zabell's second homophobic remark toward me in the recent letter to the court, his history of boorish behavior towards me, and insisting that I be treated civilly in this litigation in the future. by Donald Zarda (Antollino, Gregory) (Entered: 06/19/2014)
06/20/2014	169	Proposed Pretrial Order by Donald Zarda (Antollino, Gregory) (Entered: 06/20/2014)
07/15/2014	170	Fully Briefed MOTION in Limine to overrule defendants' objections to deposition designations by Donald Zarda. (Attachments: # 1 Declaration, # 2 Exhibit 1 Zabell Letter, # 3 Exhibit 2 Antollino Response, # 4 Exhibit 3 Google Map, # 5 Exhibit 4 Maynard Deposition Designations, # 6 Exhibit 5 Cheat Sheet, # 7 Exhibit 6 Callanan Designations, # 8 Exhibit 7 Callanan Letter) (Antollino, Gregory) (Entered: 07/15/2014)
07/16/2014	171	RESPONSE in Opposition re 170 Fully Briefed MOTION in Limine to overrule defendants' objections to deposition designations filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 07/16/2014)
07/16/2014	172	REPLY in Opposition re 171 Response in Opposition to Motion objecting to another round of the same motion filed by Donald Zarda. (Antollino, Gregory) (Entered: 07/16/2014)
10/06/2014	173	SUGGESTION OF DEATH Upon the Record as to Donald Zarda (Plaintiff) by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 10/06/2014)
10/07/2014	174	Letter regarding the death of Don Zarda by Donald Zarda (Antollino, Gregory) (Entered: 10/07/2014)
11/19/2014	175	MOTION to Substitute Party (<i>estate for deceased plaintiff</i>), MOTION to Amend/Correct/Supplement 28 Amended Complaint (<i>caption only</i>) by Donald Zarda. (Attachments: # 1 Declaration of Gregory Antollino, # 2 Exhibit Probate Documents, # 3 Proposed Order) (Antollino, Gregory) (Entered: 11/19/2014)
11/19/2014	176	MEMORANDUM in Support re 175 MOTION to Substitute Party (<i>estate for deceased plaintiff</i>) MOTION to Amend/Correct/Supplement 28 Amended Complaint (<i>caption only</i>) filed by Donald Zarda. (Antollino, Gregory) (Entered: 11/19/2014)
11/21/2014	177	Letter by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 11/21/2014)
12/01/2014	178	RESPONSE to Motion re 175 MOTION to Substitute Party (<i>estate for deceased plaintiff</i>) MOTION to Amend/Correct/Supplement 28 Amended Complaint (<i>caption only</i>) filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 12/01/2014)
12/02/2014	179	REPLY in Support re 175 MOTION to Substitute Party (<i>estate for deceased plaintiff</i>) MOTION to Amend/Correct/Supplement 28 Amended Complaint (<i>caption only</i>) in response to points raised in Mr. Zabell's "consent" letter filed by Donald Zarda. (Antollino, Gregory) (Entered: 12/02/2014)
12/03/2014	180	ORDER granting 175 Motion to Substitute Party. Donald Zarda terminated; granting 175 Motion to Amend Caption. Accordingly, IT IS HEREBY ORDERED that the motion for substitution of the plaintiff's estate for the deceased plaintiff is granted. The Court does not believe an in-person conference is necessary at this time. A telephone conference will be scheduled to address potential trial dates and a schedule for in limine motions.. Ordered by Judge Joseph F. Bianco on 12/3/2014. (Bollbach, Jean) (Entered: 12/04/2014)

01/20/2015	181	MOTION for pre motion conference <i>and/or pre-trial conference</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 01/20/2015)
01/21/2015		ORDER granting 181 Motion for Pre Motion Conference. By letter dated January 20, 2015, counsel for the plaintiff requests a telephone conference to address the status the case and outstanding motions, in light of the death of Mr. Zarda. IT IS HEREBY ORDERED that a telephone conference is scheduled for Monday, February 2, 2015 at 4:30 P.M. At that time, plaintiff's counsel shall initiate the call, and, once all parties are on the line, shall telephone Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 1/21/2015. (Street, Caitlin) (Entered: 01/21/2015)
02/02/2015		SCHEDULING ORDER: Telephone Status Conference set for February 2, 20015 is rescheduled to February 6, 2015 at 4:15 p.m. before Judge Joseph F. Bianco. Ordered by Judge Joseph F. Bianco on 2/2/2015. (Savona, Michele) (Entered: 02/02/2015)
02/05/2015	182	Consent MOTION to Adjourn Conference by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/05/2015)
02/05/2015		ORDER granting 182 Motion to Adjourn Conference. By letter dated February 5, 2015, counsel for defendants requests on consent an adjournment of the telephone conference scheduled for Friday, February 6. IT IS HEREBY ORDERED that the request is granted. The telephone conference is adjourned to Wednesday, February 11 at 2:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/5/2015. (Street, Caitlin) (Entered: 02/05/2015)
02/11/2015		SCHEDULING ORDER: Due to a conflict in the Court's calendar, IT IS HEREBY ORDERED that the telephone conference scheduled for today is adjourned to Thursday, February 12 at 2:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/11/2015. (Street, Caitlin) (Entered: 02/11/2015)
02/12/2015	183	MOTION to Adjourn Conference (<i>telephonic</i>) <i>scheduled for February 12, 2015 at 2:30 pm</i> by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 02/12/2015)
02/12/2015		ORDER granting 183 Motion to Adjourn Conference. IT IS HEREBY ORDERED that defendants counsel's request to adjourn the telephone conference scheduled for today is granted. IT IS FURTHER ORDERED that the conference is rescheduled for Tuesday, February 17, 2015 at 2:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/12/2015. (Street, Caitlin) (Entered: 02/12/2015)
02/17/2015		Motions terminated: 170 Fully Briefed MOTION in Limine <i>to overrule defendants' objections to deposition designations</i> filed by Melissa Zarda. Ordered by Judge Joseph F. Bianco on 2/17/2015. (Street, Caitlin) (Entered: 02/17/2015)
02/17/2015	184	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 2/17/2015 - Letter to be submitted to the court by 3/6/15. Objections to be filed by 3/20/15. Letter reply by 4/3/15. (Court Reporter Owen Wicker.) (Bollbach, Jean) (Entered: 02/18/2015)
02/28/2015	185	MOTION for Extension of Time to File <i>deposition designations and to note another issue</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 02/28/2015)
03/02/2015	186	RESPONSE in Opposition re 185 MOTION for Extension of Time to File <i>deposition designations and to note another issue</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 03/02/2015)
03/02/2015	187	REPLY in Support re 185 MOTION for Extension of Time to File <i>deposition designations and to note another issue</i> filed by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 03/02/2015)

03/03/2015	188	REPLY in Opposition re 185 MOTION for Extension of Time to File <i>deposition designations and to note another issue</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 03/03/2015)
03/04/2015	189	Letter <i>re availability for either July 6 or July 23</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 03/04/2015)
03/05/2015	190	MOTION in Limine <i>regarding deceased plaintiff's pretrial testimony</i> by William Allen Moore, Jr, Melissa Zarda. (Attachments: # 1 Deposition of Donald Zarda with trial designations in highlighted yellow) (Antollino, Gregory) (Entered: 03/05/2015)
03/18/2015		Case Reassigned to Magistrate Judge Anne Y. Shields. Magistrate Judge Gary R. Brown no longer assigned to the case. (Mahoney, Brenna) (Entered: 03/18/2015)
03/18/2015		ORDER finding as moot 185 Motion for Extension of Time to File. Given that counsel for plaintiff filed his letter within the deadline, IT IS HEREBY ORDERED the Court terminates his motion for an extension of time to file as moot. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/18/2015. (Street, Caitlin) (Entered: 03/18/2015)
03/18/2015		SCHEDULING ORDER: IT IS HEREBY ORDERED that a telephone conference is scheduled for Monday April 13, 2015 at 2:15 p.m. At the time of the conference, plaintiff's counsel shall initiate the call, and, once all parties are on the line, shall telephone Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/18/2015. (Street, Caitlin) (Entered: 03/18/2015)
03/19/2015	191	RESPONSE in Opposition re 190 MOTION in Limine <i>regarding deceased plaintiff's pretrial testimony</i> filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (Zabell, Saul) (Entered: 03/19/2015)
03/23/2015		SCHEDULING ORDER: Due to a conflict in the Court's calendar, IT IS HEREBY ORDERED that the telephone conference scheduled for Monday, April 13 at 2:15 PM is rescheduled to 12:00 PM on the same day. SO ORDERED. Ordered by Judge Joseph F. Bianco on 3/23/2015. (Street, Caitlin) (Entered: 03/23/2015)
03/23/2015	198	ORDER IN RE CASES RE-ASSIGNED. Ordered by Magistrate Judge Anne Y. Shields on 3/23/2015. (Attachments: # 1 AYS Rules) (Torres, Jasmine) (Entered: 04/16/2015)
03/28/2015	192	REPLY in Support re 190 MOTION in Limine <i>regarding deceased plaintiff's pretrial testimony</i> filed by All Plaintiffs. (Antollino, Gregory) (Entered: 03/28/2015)
03/28/2015	193	Second MOTION in Limine <i>regarding defense deposition designations of Don Zarda's deposition</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 03/28/2015)
03/30/2015	194	MOTION to Adjourn Conference <i>of April 13</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 03/30/2015)
04/02/2015		ORDER granting 194 Motion to Adjourn Conference. IT IS HEREBY ORDERED that the request is granted and the telephone conference is now scheduled for Monday, April 27 at 4:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/2/2015. (Street, Caitlin) (Entered: 04/02/2015)
04/15/2015	195	Letter by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Exhibit A) (Zabell, Saul) (Entered: 04/15/2015)
04/15/2015	196	Letter <i>re July 6 is not a good date for anyone now</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 04/15/2015)
04/15/2015	197	Letter <i>concerning Mr. Zabell's misrepresentation to Judge Wexler concerning this case</i> by William Allen Moore, Jr, Melissa Zarda (Attachments: # 1 Letter from Zabell to Wexler)

		(Antollino, Gregory) (Entered: 04/15/2015)
04/21/2015	199	Letter from March 28 with corrections by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 04/21/2015)
04/24/2015	200	Third MOTION in Limine regarding an additional exhibit and proposed demonstrative demonstration by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 04/24/2015)
04/27/2015		SCHEDULING ORDER: IT IS HEREBY ORDERED that the telephone conference scheduled for today is adjourned to Thursday, April 30 at 2:30 PM. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/27/2015. (Street, Caitlin) (Entered: 04/27/2015)
04/30/2015	201	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 4/30/2015, (Trial set for 7/27/2015 09:30 AM in Courtroom 1040 before Judge Joseph F. Bianco.) (Tape #ftr 2:42 - 3:02.) (Bollbach, Jean) (Entered: 04/30/2015)
06/02/2015	202	Letter requesting adjournment by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 06/02/2015)
06/08/2015		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference Friday, June 12, 2015 at 4:00 p.m. to discuss defendants' request for an adjournment of the trial. At that time, counsel for defendants shall initiate the call and, once all the parties are on the line, contact Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 6/8/2015. (Street, Caitlin) (Entered: 06/08/2015)
06/12/2015	203	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 6/12/2015, Defendant will provide letter from doctor. Trial set for 7/27/2015 is adjourned to 10/13/15. (Jury Selection set for 10/13/2015 09:30 AM in Courtroom 1040 before Judge Joseph F. Bianco.) (Tape #ftr 4:05 - 4:15.) (Bollbach, Jean) (Entered: 06/15/2015)
07/21/2015	206	MOTION for pre motion conference re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,, to reconsider based on new authority to which the court must grant deference by William Allen Moore, Jr, Melissa Zarda. (Attachments: # 1 Exhibit A Anonymous v. Foxx) (Antollino, Gregory) (Entered: 07/21/2015)
07/24/2015	207	RESPONSE in Opposition re 206 MOTION for pre motion conference re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,, to reconsider based on new authority to which the court must grant deference filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 07/24/2015)
07/24/2015	208	REPLY in Support of pre-motion conference filed by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 07/24/2015)
07/27/2015		ORDER granting 206 Motion for Pre Motion Conference. IT IS HEREBY ORDERED that a telephone pre-motion conference is scheduled for Thursday, August 6 at 12:15 p.m. At that time, plaintiff's counsel shall initiate the call, and, once all parties are on the line, shall telephone Chambers at 631-712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 7/27/2015. (Street, Caitlin) (Entered: 07/27/2015)
08/06/2015	209	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 8/6/2015; motion for reconsideration to be filed (Tape #ftr 12:27 - 12:37.) (Bollbach, Jean) (Entered: 08/06/2015)
08/07/2015	210	MOTION for Reconsideration re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,, by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 08/07/2015)

08/07/2015	211	MEMORANDUM in Support re 210 MOTION for Reconsideration re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,,, filed by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 08/07/2015)
08/21/2015	212	RESPONSE in Opposition re 210 MOTION for Reconsideration re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,,, filed by Altitude Express, Inc., Ray Maynard. (Attachments: # 1 Declaration of SDZ, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E) (Zabell, Saul) (Entered: 08/21/2015)
08/24/2015	213	REPLY to Response to Motion re 210 MOTION for Reconsideration re 145 Order on Motion for Partial Summary Judgment, Order on Motion to Strike,,,,, filed by All Plaintiffs. (Cardinale, Richard) (Entered: 08/24/2015)
09/22/2015	214	Letter by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 09/22/2015)
09/23/2015	215	Motion to Appear by Telephone <i>on Friday if possible to ascertain more information about the defendant's condition</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 09/23/2015)
09/24/2015		ORDER granting 215 Motion to Appear by Telephone. IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Monday, September 28, 2015 at 11:30 a.m. At the time of the conference, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/24/2015. (Street, Caitlin) (Entered: 09/24/2015)
09/25/2015	216	Letter by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 09/25/2015)
09/25/2015	217	Letter <i>regarding withdraw of motion for conference unless otherwise requested</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 09/25/2015)
09/25/2015		SCHEDULING ORDER: In light of the parties' letters filed today, IT IS HEREBY ORDERED that the telephone conference scheduled for Monday is cancelled. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/25/2015. (Street, Caitlin) (Entered: 09/25/2015)
09/29/2015	218	Proposed Voir Dire by William Allen Moore, Jr, Melissa Zarda, TRIAL BRIEF <i>regarding attorney voir dire</i> by William Allen Moore, Jr, Melissa Zarda (Attachments: # 1 Questionnaire/questions for the court) (Antollino, Gregory) (Entered: 09/29/2015)
10/01/2015	219	Proposed Jury Instructions by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/01/2015)
10/02/2015	220	Letter <i>requesting a Certificate of Engagement</i> by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Proposed Certificate of Engagement) (Zabell, Saul) (Entered: 10/02/2015)
10/02/2015	222	ORDER : certificate of engagement filed for Mr. Zabell for jury selection and trial commencing 10/13/15. Ordered by Judge Joseph F. Bianco on 10/2/2015. (Bollbach, Jean) (Entered: 10/06/2015)
10/05/2015	221	MOTION for Extension of Time to File <i>document binder</i> by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 10/05/2015)
10/06/2015		ORDER granting 221 Motion for Extension of Time to File The Court has received Plaintiff's letter dated October 5, 2015. IT IS HEREBY ORDERED that Plaintiff's request for an extension to provide an exhibit binder on October 7, 2015 is granted. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/6/2015. (Shea, Zoe) (Entered: 10/06/2015)

10/06/2015	223	TRIAL BRIEF by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Declaration of Saul D. Zabell, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G) (Zabell, Saul) (Entered: 10/06/2015)
10/06/2015	224	Proposed Jury Instructions by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 10/06/2015)
10/06/2015	225	Letter <i>with Defendants' Proposed Trial Exhibits</i> by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Exhibit List, # 2 Exhibit A(1), # 3 Exhibit A(2), # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J, # 13 Exhibit K, # 14 Exhibit L, # 15 Exhibit M, # 16 Exhibit N, # 17 Exhibit O, # 18 Exhibit P, # 19 Exhibit Q, # 20 Exhibit R, # 21 Exhibit S, # 22 Exhibit T, # 23 Exhibit U, # 24 Exhibit V, # 25 Exhibit W, # 26 Exhibit X, # 27 Exhibit Y) (Zabell, Saul) (Entered: 10/06/2015)
10/06/2015		SCHEDULING ORDER: IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Thursday, October 8, 2015 at 12:45 p.m. At the time of the conference, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712 5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 10/6/2015. (Shea, Zoe) (Entered: 10/06/2015)
10/07/2015	226	Letter by Altitude Express, Inc., Ray Maynard (Attachments: # 1 Trial Subpoena - Kengle, # 2 Affidavit of Service - Kengle, # 3 Trial Subpoena - Orellana, # 4 Affidavit of Service - Orellana) (Zabell, Saul) (Entered: 10/07/2015)
10/07/2015	227	Letter <i>regarding premature subpoenas on Kengle and Orellana</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/07/2015)
10/08/2015	228	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone Conference held on 10/8/2015 (Tape #ftr 1:44 - 2:01.) (Bollbach, Jean) (Entered: 10/08/2015)
10/08/2015	229	Proposed Jury Instructions by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/08/2015)
10/10/2015	230	Letter <i>requesting attorney voir dire and specific question(s) regarding sexual orientation generally and as stated in the workplace</i> by William Allen Moore, Jr, Melissa Zarda (Attachments: # 1 shortened voir dire, # 2 page from 10/4/12 conference) (Antollino, Gregory) (Entered: 10/10/2015)
10/13/2015	231	Minute Entry for proceedings held before Judge Joseph F. Bianco: Jury Selection held and completed on 10/13/2015, Voir Dire held on 10/13/2015, Voir Dire Completed; Jury Trial held on 10/13/2015, witnesses sworn, exhibits entered; plaintiff and deft opens (Jury Trial set for 10/14/2015 09:30 AM in Courtroom 1020 before Judge Joseph F. Bianco.) (Court Reporter Owen Wicker.) (Bollbach, Jean) (Entered: 10/14/2015)
10/14/2015	232	Minute Entry for proceedings held before Judge Joseph F. Bianco:Jury Trial held on 10/14/2015, witnesses sworn and exhibits entered(Jury Trial set for 10/15/2015 09:30 AM in Courtroom 1020 before Judge Joseph F. Bianco.) (Court Reporter Owen Wicker.) (Bollbach, Jean) (Entered: 10/15/2015)
10/15/2015	236	Minute Entry for proceedings held before Judge Joseph F. Bianco:Jury Trial held on 10/15/2015, witnesses sworn, exhibits entered (Jury Trial set for 10/19/2015 09:30 AM in Courtroom 1020 before Judge Joseph F. Bianco.) (Court Reporter Owen Wicker.) (Bollbach, Jean) (Entered: 10/19/2015)
10/16/2015	233	MOTION in Limine <i>to admit portions of plaintiff's declaration as exceptions to the hearsay rule</i> , MOTION for Sanctions <i>in precluding three or at least one for failure to adequately identify witnesses before trial</i> by William Allen Moore, Jr, Melissa Zarda. (Attachments: # 1 Exhibit 1 Plaintiff's annotated declaration, # 2 Exhibit Defendant's final

		amended initial disclosures, # 3 Exhibit 3 Defendant's produced list of names and addresses of plaintiff's co-workers) (Antollino, Gregory) (Entered: 10/16/2015)
10/17/2015	234	Proposed Findings of Fact by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/17/2015)
10/19/2015	235	RESPONSE in Opposition re 233 MOTION in Limine <i>to admit portions of plaintiff's declaration as exceptions to the hearsay rule</i> MOTION for Sanctions <i>in precluding three or at least one for failure to adequately identify witnesses before trial</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 10/19/2015)
10/19/2015	237	Minute Entry for proceedings held before Judge Joseph F. Bianco:Jury Trial held on 10/19/2015, witnesses sworn, exhibits entered (Jury Trial set for 10/20/2015 09:30 AM in Courtroom 1020 before Judge Joseph F. Bianco.) (Court Reporter Ellen Combs and Owen Wicker.) (Bollbach, Jean) (Entered: 10/20/2015)
10/20/2015	238	Minute Entry for proceedings held before Judge Joseph F. Bianco:Jury Trial held on 10/20/2015, witnesses sworn, exhibits entered; plaintiff rests, deft rests(Jury Trial set for 10/21/2015 09:30 PM in Courtroom 1020 before Judge Joseph F. Bianco.) (Court Reporter Ellen Combs and Owen Wicker.) (Bollbach, Jean) (Entered: 10/20/2015)
10/20/2015	239	Letter <i>regarding one additional jury instruction</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/20/2015)
10/20/2015	240	Proposed Jury Instructions by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 10/20/2015)
10/20/2015	241	Court's Proposed Jury Instructions (Shea, Zoe) (Entered: 10/20/2015)
10/20/2015	242	Court's Proposed Verdict Sheet (Shea, Zoe) (Entered: 10/20/2015)
10/21/2015	243	Minute Entry for proceedings held before Judge Joseph F. Bianco: jury trial held; plaintiff summation; deft summation, plaintiff rebuttal, jury trial ends, jury charged; deliberations begin; defts verdict.Jury Trial completed on 10/21/2015 (Court Reporter Ellen Combs and Owen Wicker.) (Bollbach, Jean) (Entered: 10/22/2015)
10/21/2015	244	Order of Sustenance/Lodging/Transportation - lunch 8 jurors. Ordered by Judge Joseph F. Bianco on 10/21/2015. (Bollbach, Jean) (Entered: 10/26/2015)
10/21/2015	245	JURY TRIAL COURT EXHIBITS 1-2, A-F (3 is verdict sheet which is separate) (Bollbach, Jean) (Entered: 10/26/2015)
10/21/2015	246	JURY VERDICT SHEET (Bollbach, Jean) (Entered: 10/26/2015)
10/28/2015	247	JUDGMENT : IT IS ORDERED AND ADJUDGED that the plaintiff, estate of Donald Zarda, take nothing of the defendants, Altitude Express Inc. and Raymond Maynard, and that the action be dismissed on the merits. (Bollbach, Jean)cm (Entered: 10/29/2015)
11/17/2015	248	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 10/20/15, before Judge Joseph F. Bianco. Court Reporter/Transcriber E Combs. Email address: ellencombs@hotmail.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.File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 12/8/2015. Redacted Transcript Deadline set for 12/18/2015. Release of Transcript Restriction set for 2/15/2016. (Combs, Ellen) (Entered: 11/17/2015)
11/17/2015	249	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 10/21/15, before Judge Joseph F. Bianco. Court Reporter/Transcriber E Combs. Email address:

		ellencombs@hotmail.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. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 12/8/2015. Redacted Transcript Deadline set for 12/18/2015. Release of Transcript Restriction set for 2/15/2016. (Combs, Ellen) (Entered: 11/17/2015)
11/17/2015	250	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 10/19/15, before Judge Joseph F. Bianco. Court Reporter/Transcriber E Combs. Email address: ellencombs@hotmail.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. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 12/8/2015. Redacted Transcript Deadline set for 12/18/2015. Release of Transcript Restriction set for 2/15/2016. (Combs, Ellen) (Entered: 11/17/2015)
11/19/2015	251	Order of Transportation. Ordered by Judge Joseph F. Bianco on 11/19/2015. (Bollbach, Jean) (Entered: 11/20/2015)
11/20/2015	252	NOTICE OF APPEAL as to 247 Judgment by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 11/20/2015)
11/20/2015		Electronic Index to Record on Appeal sent to US Court of Appeals. 252 Notice of Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (Cox, Dwayne) (Entered: 11/20/2015)
11/20/2015		APPEAL FILING FEE DUE re 252 Notice of Appeal Please either come to the clerks office or mail the filing fee in the amount of \$505.00. (Cox, Dwayne) (Entered: 11/20/2015)
11/24/2015		USCA Appeal Fees received \$ 505 receipt number 19002 re 252 Notice of Appeal filed by William Allen Moore, Jr., Melissa Zarda (Shatinsky, Michael) (Entered: 11/24/2015)
12/09/2015	253	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/10/2014, before Judge Joseph F. Bianco. Transcriber Tracy Gribben Transcription LLC, Telephone number 732-263-0044. Email address: Tracy@tgribbentranscription.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/30/2015. Redacted Transcript Deadline set for 1/11/2016. Release of Transcript Restriction set for 3/8/2016. (Cox, Dwayne) (Entered: 12/09/2015)
12/09/2015	254	Mail Returned as Undeliverable. Mail sent to Gregory Antollino - receipt returned unable to forward (Bollbach, Jean) (Entered: 12/10/2015)
12/10/2015	255	NOTICE of Change of Address by Gregory S. Antollino (Antollino, Gregory) (Entered: 12/10/2015)
02/26/2018	256	CERTIFIED ORDER of USCA 15-3775 as to 252 Notice of Appeal filed by William Allen Moore, Jr., Melissa Zarda. We convened this rehearing en banc to consider whether Title VII prohibits discrimination on the basis of sexual orientation such that our precedents to the contrary should be overruled. We now hold that sexual orientation discrimination constitutes a form of discrimination because of... sex, in violation of Title VII, and overturn Simonton and Dawson v. Bumble & Bumble, 398 F.3d 211, 217-23 (2d Cir. 2005), to the extent they held otherwise. We therefore VACATE the district courts

		judgment on the Title VII claim and REMAND for further proceedings consistent with this opinion. We AFFIRM the judgment of the district court in all other respects. (Landow, Concetta) (Entered: 02/26/2018)
03/19/2018	257	MANDATE of USCA 15-3775 as to 252 Notice of Appeal filed by William Allen Moore, Jr., Melissa Zarda. IT IS HEREBY ORDERED, ADJUDGED and DECREED that, after en banc rehearing, the judgment of the district court on Zardas Title VII claim is VACATED and the case is MANDATE REMANDED for further proceedings consistent with this Courts opinion. The judgment of the district court is AFFIRMED in all other respects. (Landow, Concetta) (Main Document 257 replaced on 4/11/2018) (Landow, Concetta). (Entered: 03/20/2018)
04/11/2018	258	MOTION for pre motion conference <i>regarding successor liability</i> , MOTION for Discovery <i>regarding successor liability</i> by William Allen Moore, Jr, Melissa Zarda. (Attachments: # 1 Exhibit SDLI, Inc. Website (1), # 2 Exhibit SDLI, Inc. Website (2)) (Antollino, Gregory) (Entered: 04/11/2018)
04/12/2018	259	RESPONSE in Opposition re 258 MOTION for pre motion conference <i>regarding successor liability</i> MOTION for Discovery <i>regarding successor liability</i> filed by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/12/2018)
04/12/2018	260	REPLY in Support re 259 Response in Opposition to Motion filed by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 04/12/2018)
04/12/2018		SCHEDULING ORDER: The Court has received the parties' April 11, 2018 and April 12, 2018 letters. IT IS HEREBY ORDERED that the parties shall participate in a telephone conference with the Court on Monday, May 14, 2018, at 1:15 p.m. to discuss counsel for plaintiff's request. At the time of the conference, counsel for plaintiff shall initiate the call and, once all parties are on the line, shall contact Chambers at (631) 712-5670. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/12/2018. (Kuhn, Alyssa) (Entered: 04/12/2018)
04/16/2018	261	MOTION for Hearing by Altitude Express, Inc., Ray Maynard. (Zabell, Saul) (Entered: 04/16/2018)
04/16/2018	262	RESPONSE to Motion re 258 MOTION for pre motion conference <i>regarding successor liability</i> MOTION for Discovery <i>regarding successor liability</i> , 261 MOTION for Hearing filed by William Allen Moore, Jr, Melissa Zarda. (Antollino, Gregory) (Entered: 04/16/2018)
04/18/2018		ORDER granting in part and denying in part 261 Motion for Hearing. The Court has received (i) counsel for defendants' April 16, 2018 letter requesting that the telephone conference scheduled for May 14, 2018 be converted to an in-person conference, and (ii) counsel for plaintiff's April 16, 2018 letter opposing this request. IT IS HEREBY ORDERED that the request is granted in part and denied in part. Specifically, no party is required to appear in person. Counsel may appear in person or by telephone. If counsel appears by telephone, counsel shall follow the instructions set forth in the Court's April 12, 2018 Scheduling Order. SO ORDERED. Ordered by Judge Joseph F. Bianco on 4/18/2018. (Kuhn, Alyssa) (Entered: 04/18/2018)
05/04/2018	263	Letter <i>re May 14 conference</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 05/04/2018)
05/14/2018		SCHEDULING ORDER: Due to a conflict in the Court's calendar, IT IS HEREBY ORDERED that the conference scheduled for today, May 14, 2018, at 1:15 p.m. is rescheduled for Thursday, May 17, 2018, at 3:00 p.m. As with the conference scheduled for today, no party is required to appear in person. Counsel may appear in person or by telephone. If counsel appears by telephone, counsel shall follow the instructions set forth

		in the Court's April 12, 2018 Scheduling Order. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/14/2018. (Kuhn, Alyssa) (Entered: 05/14/2018)
05/14/2018	264	USCA Statement of Costs 15-3775 as to 252 Notice of Appeal filed by William Allen Moore, Jr. and Melissa Zarda. IT IS HEREBY ORDERED that costs are taxed in favor of the Appellants in the amount of \$3,693.80. (Landow, Concetta) (Entered: 05/14/2018)
05/17/2018		SCHEDULING ORDER: IT IS HEREBY ORDERED that the telephone conference previously scheduled for earlier today is rescheduled for Monday, May 21, 2018, at 11:30 a.m. As with the conference scheduled for today, no party is required to appear in person. Counsel may appear in person or by telephone. If counsel appears by telephone, counsel shall follow the instructions set forth in the Court's April 12, 2018 Scheduling Order. SO ORDERED. Ordered by Judge Joseph F. Bianco on 5/17/2018. (Kuhn, Alyssa) (Entered: 05/17/2018)
05/17/2018	265	Letter <i>regarding cancelled conference and upcoming conference on successor liability</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 05/17/2018)
05/18/2018	266	Letter <i>in Response to Mr. Antollino's May 17, 2018 Correspondence to the Court</i> by Altitude Express, Inc., Ray Maynard (Zabell, Saul) (Entered: 05/18/2018)
05/18/2018	267	Letter <i>in response to Zabell's letter of May 18</i> by William Allen Moore, Jr, Melissa Zarda (Antollino, Gregory) (Entered: 05/18/2018)
05/21/2018		ORDER. With respect to the issue discussed at today's conference, the Court notes that New York Business Corporation Law Section 1006 provides that a dissolved corporation may participate in all court proceedings against it. Ordered by Judge Joseph F. Bianco on 5/21/2018. (Kuhn, Alyssa) (Entered: 05/21/2018)
06/12/2018	268	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 05/21/2018, before Judge Joseph F. Bianco. Transcriber TypeWrite Word Processing Service, Telephone number 518-581-8973. Email address: transcripts@typewp.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/3/2018. Redacted Transcript Deadline set for 7/13/2018. Release of Transcript Restriction set for 9/10/2018. (Kanellopoulos, John) (Entered: 06/12/2018)