

CLOSED, LEAD, STANDARD

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:05-cv-04217-SD**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.
BIG WAY, INC.
Assigned to: HONORABLE STEWART DALZELL
Cause: 28:451 Employment Discrimination

Date Filed: 08/09/2005
Date Terminated: 04/11/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **STEPHANIE MARINO**
U.S. E.E.O.C.
21 SOUTH 5TH ST.
SUITE 400
PHILADELPHIA, PA 19106-2515
215-440-2841
Email: stephanie.marino@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff**JOYCE FISHEL**

represented by **MICHELE M. ROVINSKY**
MICHELE M. ROVINSKY, ESQUIRE
525 CARPENTER LANE
PHILADELPHIA, PA 19119
215-843-9344
Fax: 215-843-3591
Email: mmrovinsky@comcast.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**BIG WAY, INC.**
trading as
VALLEY GREEN INN

represented by **PATRICIA COLLINS**
ANTHEIL MASLOW & MACMINN LLP
131 W. STATE ST.
POBOX 50
DOYLESTOWN, PA 18901
215-230-7500
Email: pcollins@ammlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JACK OTT

represented by **PATRICIA COLLINS**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

MR. SHING DAN
c/o Valley Green Inn

represented by **SHING DAN**
 VALLEY GREEN ROAD AT
 WISSAHICKON CREEK
 PHILADELPHIA, PA 19128
 PRO SE

Intervenor Defendant

MR. KEN SWOPE

represented by **PATRICIA COLLINS**
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/09/2005	<u>1</u>	COMPLAINT against BIG WAY, INC. , filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(wgc,) (Entered: 08/09/2005)
08/09/2005		1 Summons Issued as to BIG WAY, INC.. Forwarded To: Counsel on 8/9/05 (wgc,) (Entered: 08/09/2005)
08/09/2005		DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (wgc,) (Entered: 08/09/2005)
09/15/2005	2	WAIVER OF SERVICE Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. BIG WAY, INC. waiver sent on 9/9/2005, answer due 11/8/2005. (jl,) (Entered: 09/15/2005)
09/21/2005	3	JOYCE FISHEL MOTION TO INTERVENE AS PARTY PLAINTIFF UNDER F.R.C.P. 24 (a), CERTIFICATE OF SERVICE..(jl,) (Entered: 09/22/2005)
09/30/2005	<u>4</u>	ORDER THAT THE ABOVE CAPTIONED CASE IS REASSIGNED FROM THE CALENDER OF THE HONORABLE JAN DUBOIS TO THE CALENDER OF THE HONORABLE STEWART DALZELL, AS RELATED TO CIVIL ACTION 05-1883; ETC.. SIGNED BY MICHAEL E. KUNZ ON 9/30/05. 9/30/05 ENTERED AND COPIES MAILED, E-MAILED.(jl,) Modified on 9/30/2005 (jl,). (Entered: 09/30/2005)
09/30/2005	<u>5</u>	ORDER THAT PURSUANT TO FED.R.CIV.P.42 (a), CIVIL ACTION NOS.05-1883 AND 05-4217 ARE CONSOLIDATED; THE CLERK OF COURT SHALL TRANSFER ALL PAPERS IN CIVIL ACTION NO. 05-1883 TO THE FILE FOLDER OF CIVIL ACTION 05-4217; JOYCE FISHEL'S MOTION TO INTERVENE IS DENIED AS MOOT; THE CLERK SHALL CLOSE CIVIL ACTION NO. 05-1883 STATISTICALLY; ETC.. SIGNED BY JUDGE STEWART DALZELL ON 9/30/05. 10/3/05 ENTERED AND E-MAILED.(jl,) (Entered: 10/03/2005)

09/30/2005		PAPERS TRANSFERRED IN FROM 05-1883 (jl,) (Entered: 10/03/2005)
10/17/2005	6	MOTION for Leave to File <i>Amended Complaint</i> filed by JOYCE FISHEL.Memorandum and Certificate of Service. (Attachments: # 1 # 2 Exhibit 1 - PHRC letter# 3 Exhibit 2 - Proposed Amended Complaint# 4 Exhibit A - EEOC letter of determination# 5 Text of Proposed Order)(ROVINSKY, MICHELE) (Entered: 10/17/2005)
10/19/2005	7	ORDER THAT PLAINTIFF'S JOYCE FISHEL'S MOTION TO AMEND THE COMPLAINT IS GRANTED; ETC.. SIGNED BY JUDGE STEWART DALZELL ON 10/18/05.10/19/05 ENTERED AND E-MAILED AND FAXED BY CHAMBERS. (jl,) (Entered: 10/19/2005)
10/19/2005	8	Intervenor COMPLAINT , filed by JOYCE FISHEL AGAINST SHING DAN, KEN SWOPE, CERTIFICATE OF SERVICE. (Attachments: # 1 CERTIFICATE OF SERVICE)(jl,) (Entered: 10/19/2005)
10/19/2005		2 INTVENOR Summons Issued as to SHING DAN AND KEN SWOPE. Forwarded To: MICHELE ROVINSKY on 10/19/05 (jl,) Modified on 10/20/2005 (jl,). (Entered: 10/19/2005)
10/27/2005	9	MOTION to Dismiss <i>and / or for Partial Summary Judgment on the Complaint of the Equal Employment Opportunity Commission</i> filed by JACK OTT, BIG WAY, INC..Memorandum, Certificate of Service. (Attachments: # 1 # 2)(COLLINS, PATRICIA) (Entered: 10/27/2005)
10/31/2005	10	AMENDED DOCUMENT by JACK OTT, BIG WAY, INC.. Amendment to 9 MOTION to Dismiss <i>and / or for Partial Summary Judgment on the Complaint of the Equal Employment Opportunity Commission amended certificate of service.</i> (COLLINS, PATRICIA) (Entered: 10/31/2005)
11/07/2005	11	ANSWER to Complaint together with Affirmative Defenses by JACK OTT, BIG WAY, INC., Certificate of Service. (Attachments: # 1 Exhibit) (COLLINS, PATRICIA) Modified on 11/8/2005 (np). (Entered: 11/07/2005)
11/08/2005	12	RESPONSE in Opposition re 9 MOTION to Dismiss <i>and / or for Partial Summary Judgment on the Complaint of the Equal Employment Opportunity Commission</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Memorandum, Certificate of Service. (Attachments: # 1 Exhibit A & B # 2 Exhibit Exhibit C# 3 Exhibit Exhibit D# 4 Exhibit Exhibits E & F)(MARINO, STEPHANIE) Modified on 11/9/2005 (np). (Entered: 11/08/2005)
11/11/2005	13	SUMMONS Returned Executed by JOYCE FISHEL re: William Dominick served Summons and Complaint upon KEN SWOPE by delivery to person in charge of usual place of business. KEN SWOPE served on 10/31/2005, answer due 11/21/2005. (ROVINSKY, MICHELE) (Entered: 11/11/2005)
11/30/2005	14	SUMMONS Returned Executed by JOYCE FISHEL re: William Dominick served Summons and Complaint upon SHING DAN by Personal Service. SHING DAN served on 11/21/2005, answer due 12/12/2005. (Attachments: # 1 Certificate of Service)(ROVINSKY, MICHELE) (Entered: 11/30/2005)
01/04/2006	15	STIPULATION <i>To Extend Time to Answer Complaint</i> by BIG WAY, INC.. (COLLINS, PATRICIA) Modified on 1/5/2006 (md,).(COPY FORWARDED TO CLERK/JUDGE FOR APPROVAL) (Entered: 01/04/2006)

01/06/2006	16	STIPULATION AND ORDER THAT DEFENDANT KEN SWOPE SHALL HAVE AN EXTENSION TO 1/10/06 TO ANSWER PLAINTIFF JOYCE FISHEL'S AMENDED COMPLAINT; ETC.. SIGNED BY JUDGE STEWART DALZELL ON 1/6/06. 1/6/06 ENTERED AND FAXED BY CHAMBERS.(jl,) Modified on 1/11/2006 (jl,). (Entered: 01/06/2006)
01/06/2006		Update Answer Deadline T0 1/10/06 FOR DEFENDANT KEN SWOPE TO ANSWER THE AMENDED COMPLAINT (jl,) (Entered: 01/11/2006)
01/10/2006	17	ANSWER to Complaint by KEN SWOPE.(COLLINS, PATRICIA) (Entered: 01/10/2006)
01/10/2006	18	NOTICE of Appearance by PATRICIA COLLINS on behalf of KEN SWOPE with certificate of service (COLLINS, PATRICIA) (Entered: 01/10/2006)
02/03/2006	19	ORDER THAT DEFENDANT'S MOTION TO DISMISS AND/OR FOR SUMMARY JUDGMENT IS DENIED; THIS ACTION IS STAYED WHILE THE PARTIES UNDERTAKE GOOD FAITH CONCILIATION EFFORTS; THE CLERK SHALL TRANSFER THIS CASE FROM OUR ACTIVE DOCKET TO OUR CIVIL SUSPENSE DOCKET; ETC.. SIGNED BY JUDGE STEWART DALZELL ON 2/3/06.2/3/06 ENTERED AND E-MAILED AND FAXED BY CHAMBERS. (jl,) (Entered: 02/03/2006)
02/21/2006	20	ANSWER to Intervenor Complaint by SHING DAN.(jl,) (Entered: 02/21/2006)
04/07/2006	21	ORDER THAT THE CLERK OF COURT TRANSFER SAID CASE FROM THE CIVIL SUSPENSE FILE TO THE CURRENT DOCKET FOR FINAL DISPOSITION; ETC.. SIGNED BY JUDGE STEWART DALZELL ON 4/7/06. 4/10/06 ENTERED AND E-MAILED.(jl,) (Entered: 04/10/2006)
04/11/2006	22	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY JUDGE STEWART DALZELL ON April 11, 2006. April 11, 2006 ENTERED AND COPIES E-MAILED.(ea,) (Entered: 04/11/2006)

PACER Service Center

Transaction Receipt

05/31/2007 11:33:54

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	2:05-cv-04217-SD
Billable Pages:	3	Cost:	0.24