

CLOSED

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:06-cv-00769-JFC**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Date Filed: 06/12/2006
v. GREG & DEB'S, INC. et al Jury Demand: Plaintiff
Assigned to: Joy Flowers Conti Nature of Suit: 442 Civil Rights: Jobs
Cause: 42:2000e Job Discrimination (Employment) Jurisdiction: U.S. Government Plaintiff

Plaintiff**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **M. Jean Clickner**
Equal Employment Opportunity
Commission
1001 Liberty Avenue
Suite 300, Liberty Center
Pittsburgh, PA 15222
(412) 644-6439
Firm: (412) 644-4935
Email: jean.clickner@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff**ELYSE PEHEL**

represented by **Mark D. Schwartz**
P.O. Box 330
Bryn Mawr, PA 19010
US
(610) 525-5534
Email: MSchwa6814@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**GREG & DEB'S, INC.**
doing business as
NORTH PARK LOUNGE
CLUBHOUSE

represented by **David M. Moran**
Moran & Moran
445 Fort Pitt Boulevard
230 Fort Pitt Commons Building
Pittsburgh, PA 15219
US
(412) 355-0355
Email: DMMoran@Moran-Law.com

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

MARK & GREG'S, INC.
doing business as
NORTH PARK LOUNGE
CLUBHOUSE

represented by **David M. Moran**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Intervenor Defendant

DEBORAH MAGGIO
*As Executrix of the ESTATE OF GREG
MAGGIO*

represented by **David M. Moran**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Intervenor Defendant

MITCHELL L. BREWER

represented by **Wayne V. Deluca**
Eddy, DeLuca, Gravina & Townsend
564 Forbes Avenue
Manor Building Penthouse
Pittsburgh, PA 15219
(412) 281-5336
Email: wvdel@eodlaw.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/12/2006	1	COMPLAINT against GREG & DEB'S, INC., MARK & GREG'S, INC. filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # 1 Civil Cover Sheet # 2 Summons Greg & Deb's# 3 Summons Mark & Greg's)(jsp) (Entered: 06/13/2006)
06/12/2006		Summons Issued as to GREG & DEB'S, INC., MARK & GREG'S, INC. (jsp) (Entered: 06/13/2006)
07/10/2006	2	ANSWER to Complaint <i>Asserting Affirmative Defenses Under Rule 12 (b)</i> by GREG & DEB'S, INC., MARK & GREG'S, INC..(Moran, David) (Entered: 07/10/2006)
07/11/2006	3	AFFIDAVIT of Service for Affidavit of Service <i>on Greg & Deb's, Inc.</i> served on Doug Smith on 06/22/2006, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Clickner, M.) (Entered: 07/11/2006)
07/11/2006	4	AFFIDAVIT of Service for Affidavit of Service on Mark & Greg's, Inc. served on Doug Smith on 06/22/2006, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Clickner, M.) (Entered: 07/11/2006)

07/11/2006		Update Answer Deadline: Answer due from GREG & DEB'S, INC. on 7/31/2006; MARK & GREG'S, INC. on 7/31/2006 (jsp) (Entered: 07/12/2006)
07/17/2006	5	First MOTION to Intervene <i>as a Party Plaintiff</i> by Elyse Pehel. (Schwartz, Mark) (Entered: 07/17/2006)
07/18/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 5 First MOTION to Intervene <i>as a Party Plaintiff</i> ERROR: Proposed Order was made part of main document. CORRECTION: Attorney advised that in future proposed orders are to be made attachments to the main document. Also, the document should be submitted in such a way that the certificate of service is not the first page. The document does not need to be re-filed. This message is for informational purposes only. (jsp,) (Entered: 07/18/2006)
08/02/2006	6	RESPONSE to Motion re 5 First MOTION to Intervene <i>as a Party Plaintiff</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Clickner, M.) (Entered: 08/02/2006)
08/02/2006	7	RESPONSE to Motion re 5 First MOTION to Intervene <i>as a Party Plaintiff</i> filed by GREG & DEB'S, INC., MARK & GREG'S, INC.. (Moran, David) (Entered: 08/02/2006)
08/07/2006	8	ORDER on Motion Practice. Signed by Judge Joy Flowers Conti on 8/3/06. (smc) (Entered: 08/07/2006)
08/07/2006	9	ORDER granting 5 Motion filed on behalf of Ms. Elyse Pehel to Intervene. Movant is instructed to file her complaint by 8/24/2006. Signed by Judge Joy Flowers Conti on 8/3/06. (smc) (Entered: 08/07/2006)
08/11/2006	10	Intervenor COMPLAINT, filed by Elyse Pehel.(Schwartz, Mark) (Entered: 08/11/2006)
08/15/2006	11	REPORT of Rule 26(f) Planning Meeting. (Clickner, M.) (Entered: 08/15/2006)
08/15/2006	12	REPORT of Rule 26(f) Planning Meeting. (Clickner, M.) ERROR: WRONG Event Selected. Document removed from public view. Modified on 8/16/2006 (jsp,). (Entered: 08/15/2006)
08/15/2006	13	CERTIFICATE OF SERVICE by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re 11 Report of Rule 26(f) Planning Meeting (Document previously filed electronically) (jsp) (Entered: 08/16/2006)
08/16/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. ERROR: re 12 Report of Rule 26(f) Planning Meeting Wrong event selected. CORRECTION: Re-docketed as Certificate of Service re: Report of Rule 26(f) Planning Meeting. Certificates of Service are usually made part of the main document. If filed separately, the certificate of service event under "Service of Process" should be used. This message is for informational purposes only. (jsp) (Entered: 08/16/2006)

08/31/2006	14	MOTION to Dismiss by DEBORAH MAGGIO, GREG & DEB'S, INC., MARK & GREG'S, INC.. (Attachments: # 1 Brief in Support of Motion to Dismiss# 2 Proposed Order)(Moran, David) Modified on 9/1/2006 (sjs). ERROR: Brief in Support have been filed as a separate document. CORRECTION: Brief in Support redocketed by Court at Entry # 15 ; therefore, Attachment #1 is removed from public review. (Entered: 08/31/2006)
08/31/2006	15	BRIEF in Support re 14 MOTION to Dismiss filed by DEBORAH MAGGIO, GREG & DEB'S, INC., MARK & GREG'S, INC. (sjs) (Entered: 09/01/2006)
08/31/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 14 MOTION to Dismiss and Brief in Support. ERROR: Documents should have been filed as two separate documents. CORRECTION: Attorney advised in future that documents of that nature are to be filed as separate documents. Clerk of Court docketed Brief in Support of Motion to Dismiss at Docket Entry # 15 . This message is for informational purposes only. (sjs) (Entered: 09/01/2006)
09/06/2006	16	NOTICE of Appearance by Wayne V. Deluca on behalf of MITCHELL L. BREWER (Attachments: # 1 Certificate of Service)(Deluca, Wayne) Modified on 9/7/2006 (jsp,). (Entered: 09/06/2006)
09/06/2006	17	Disclosure Statement by MITCHELL L. BREWER.. (Deluca, Wayne) (Entered: 09/06/2006)
09/07/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 16 Notice of Appearance. ERROR: Attachments not described correctly or no description was provided. CORRECTION: Attachment description corrected. Counsel is advised that any certificate of service should be made part of the main document and not submitted as an attachment. THE DOCUMENT DOES NOT NEED TO BE RE-FILED. This message is for informational purposes only. (jsp,) (Entered: 09/07/2006)
09/18/2006	18	CASE MANAGEMENT ORDER: Pursuant to Rule 26(f), the parties must confer to consider the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case and to make or arrange for the disclosures required by Rule 26(a)(1) on or before 11/20/2006. The parties shall confer as necessary and file with the Clerk of Court a report within fourteen (14) days after the Rule 26(f) Conference. The Rule 26(f) Report shall be filed no later than 12/5/2006. An Initial Rule 16 Scheduling Conference is scheduled at 4:00 PM on 12/20/2006 in Courtroom 5A before Joy Flowers Conti. Signed by Judge Joy Flowers Conti on 9/18/06. (smc) (Entered: 09/18/2006)
10/05/2006	19	MOTION to Dismiss by MITCHELL L. BREWER. (Attachments: # 1 Proposed Order)(Deluca, Wayne) (Entered: 10/05/2006)
10/05/2006	20	BRIEF in Support re 19 MOTION to Dismiss filed by MITCHELL L. BREWER. (Deluca, Wayne) (Entered: 10/05/2006)
11/06/2006	21	RESPONSE in Opposition re 19 MOTION to Dismiss, 14 MOTION to

		Dismiss filed by ELYSE PEHEL. (Schwartz, Mark) (Entered: 11/06/2006)
11/06/2006	22	BRIEF in Opposition re 19 MOTION to Dismiss, 14 MOTION to Dismiss filed by ELYSE PEHEL. (Schwartz, Mark) (Entered: 11/06/2006)
11/07/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 21 Affidavit in Opposition to Motion. ERROR: Typed name omitted by s/. CORRECTION: Attorney advised of signature requirements. Attorney to resubmit with signature, using Errata event which is located under "Other Documents" in the electronic filing system. This message is for informational purposes only., CLERK'S OFFICE QUALITY CONTROL MESSAGE. ERROR: Proposed Order was made part of main document. CORRECTION: Attorney advised that in future proposed orders are to be made ATTACHMENTS to the main document. Attorney also advised that the event "Response in Opposition to Motion" should used as the document is entitled as such. This message is for informational purposes only. (jsp,) (Entered: 11/07/2006)
11/08/2006	23	Errata Re 21 Response to Motion by ELYSE PEHEL. Reason for Correction: lack of signature. (Schwartz, Mark) (Entered: 11/08/2006)
11/09/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 23 Errata ERROR: Proposed Order was made part of main document. CORRECTION: Attorney advised that in future proposed orders are to be made ATTACHMENTS to the main document. THE DOCUMENT DOES NOT NEED TO BE RE-FILED. This message is for informational purposes only. (jsp) (Entered: 11/09/2006)
12/05/2006	24	First MOTION to Compel Answers to Request for Admissions by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # 1 Appendix to Motion # 2 Proposed Order # 3 Local Rule 37.1 Certificate # 4 Certificate of Service)(Clickner, M.) Modified text to describe attachments on 12/6/2006 (jsp). (Entered: 12/05/2006)
12/06/2006		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 24 First MOTION to Compel Answers to Request for Admissions. ERROR: Attachments not described correctly or no description was provided. CORRECTION: Attachment description corrected by Court. Counsel advised that it is the FILER's responsibility to describe attachments. THE DOCUMENT DOES NOT NEED TO BE RE-FILED. This message is for informational purposes only. (jsp) (Entered: 12/06/2006)
12/14/2006	25	RESPONSE in Opposition to Motion re 24 First MOTION to Compel Answers to Request for Admissions filed by GREG & DEB'S, INC.. (Attachments: # 1 Proposed Order Denying EEOC's Motion to Compel) (Moran, David) Modified text on 12/15/2006 (jsp). (Entered: 12/14/2006)
12/18/2006	26	ORDER denying 24 Motion to Compel Answers to Commission's Request for Admissions Directed to Defendant Greg & Deb's, Inc as moot based uon the representations made by counsel for defendant. Signed by Judge Joy Flowers Conti on 12/18/06. (smc) (Entered: 12/18/2006)

		12/18/2006)
12/20/2006	28	Minute Entry for proceedings held before Judge Joy Flowers Conti : Motion Hearing held on 12/20/2006 re 19 MOTION to Dismiss filed by MITCHELL L. BREWER 14 MOTION to Dismiss filed by GREG & DEB'S, INC., MARK & GREG'S INC., DEBORAH MAGGIO. As set forth more fully on the record, the parties are directed to submit additional briefing to the court. Plaintiff is directed to submit supplemental briefing regarding her wrongful supervision and retention claims on or before Feb. 5, 2007. Defendants are directed to submit supplemental briefing regarding the Workers' Compensation Act on or before Feb. 5, 2007. Responses are due from the parties by March 5, 2007. The parties will engage in mediation with a Magistrate Judge. (Court Reporter M. Powers.) (amj) (Entered: 12/21/2006)
12/20/2006		Calendar Entry Status Conference set for 2/2/2007 08:30 AM in Courtroom 5A before Judge Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (amj) (Entered: 12/21/2006)
12/21/2006	27	ORDER, A Settlement/Mediation Conference is set for 1/29/2007 10:00 AM before Francis X. Caiazza. Signed by Judge Francis X. Caiazza on 12/21/06. (jhi) (Entered: 12/21/2006)
01/09/2007		ORDER, at the request of counsel, the Settlement/Mediation Conference is reset for 2/8/2007 09:30 AM before Francis X. Caiazza. All persons with authority to settle shall be present. Signed by Judge Francis X. Caiazza on 1/9/07. Text-only entry; no PDF document will issue. This text-only entry constitutes the Courts order or notice on the matter.(jhi) (Entered: 01/09/2007)
01/10/2007	29	First MOTION to Extend Time for Status Conference and Discovery by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # 1 Proposed Order)(Clickner, M.) Modified on 1/10/2007 (jv). (Entered: 01/10/2007)
01/10/2007		Set/Reset Hearings: Status Conference set for 2/2/2007 is reset for 2/12/2006 04:45 PM in Courtroom 5A before Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 01/10/2007)
01/10/2007		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 29 First MOTION to Extend Time for Status Conference and Discovery. ERROR: Attachments not described correctly or no description was provided. CORRECTION: Attachment description corrected. This message is for informational purposes only. (jv) (Entered: 01/10/2007)
01/11/2007		Set/Reset Hearings: Status Conference set for 2/12/2006 is reset for 2/12/2007 04:45 PM in Courtroom 5A before Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 01/11/2007)
01/12/2007	30	ORDER granting 29 Motion to Extend Time for Discovery. Discovery

		due by 2/12/2007. Status Conference set for 2/12/2007 04:45 PM in Courtroom 5A before Joy Flowers Conti. Signed by Judge Joy Flowers Conti on 1/11/07. (smc) (Entered: 01/12/2007)
01/23/2007	31	MOTION for Extension of Time to File <i>Briefs</i> by ELYSE PEHEL. (Schwartz, Mark) (Entered: 01/23/2007)
01/24/2007		ORDER, the Settlement/Mediation Conference currently set for 2/8/07 is now rescheduled to 2/5/2007 09:30 AM before Francis X. Caiazza. All persons with authority to settle shall be present. Any party not who is not available shall file a motion to the court for a possible new date. Signed by Judge Francis X. Caiazza on 1/24/07. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter.(jhi) (Entered: 01/24/2007)
01/24/2007		CLERK'S OFFICE QUALITY CONTROL MESSAGE. re 31 MOTION for Extension of Time to File <i>Briefs</i> ERROR: Proposed Order was made part of main document. CORRECTION: Attorney advised that in future proposed orders are to be made ATTACHMENTS to the main document. The document does not need to be re-filed. This message is for informational purposes only. (jsp) (Entered: 01/24/2007)
01/25/2007	32	ORDER granting 31 Motion for Extension of Time to File Briefs. Briefs required as per this Court's Order of December 20, 2006, are hereby required to be filed by March 5, 2007 and April 5, 2007 respectively. Signed by Judge Joy Flowers Conti on 1/24/07. (smc) (Entered: 01/25/2007)
02/05/2007	33	Minute Entry for proceedings held before Judge Francis X. Caiazza : Settlement/Mediation Conference held on 2/5/2007. (Court Reporter None.) Case did not settle. (jhi) (Entered: 02/05/2007)
02/09/2007		Set/Reset Hearings: Status Conference set for 2/12/07 at 4:45 is reset for 2/14/2007 04:45 PM in Courtroom 5A before Joy Flowers Conti. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (smc) (Entered: 02/09/2007)
02/13/2007		ORDER re Set Hearings. The Status Conference set for 2/14/2007 at 04:45 PM in Courtroom 5A before Joy Flowers Conti is hereby CANCELLED. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (mcg) (Entered: 02/13/2007)
03/05/2007	34	CONSENT DECREE by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Clickner, M.) (Entered: 03/05/2007)
03/07/2007	35	Approved Consent Decree. This Consent Decree is entered into by the EEOC and Greg & Deb's, Inc. with terms stated in the order. This Consent Decree shall be final and binding between the EEOC and Greg & Deb's, Inc., its directors, officers, agents, employees. This Consent Decree shall fully and finally resolve all claims which were raised by the EEOC in its Complaint in Civil Action No. 06-CV-0769 (W.D. PA). This Consent Decree shall be filed in the United States District Court for the

		<p>Western District of Pennsylvania and shall continue to be in effect for a period of four (4) years. Any application by any party to modify or vacate this Consent Decree during such period shall be made by motion to the Court on no less than thirty (30) days notice to the other party. The Court retains jurisdiction over this case in order to enforce the terms of the Consent Decree. Signed by Judge Joy Flowers Conti on 3/6/07. (smc) (Entered: 03/07/2007)</p>
<p>04/08/2007</p>	<p>36</p>	<p>STIPULATION of Dismissal by ELYSE PEHEL. (Schwartz, Mark) (Entered: 04/08/2007)</p>

PACER Service Center			
Transaction Receipt			
05/21/2007 15:43:16			
PACER Login:	hs0328	Client Code:	eeoc
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