

**U.S. District Court
Western District of Pennsylvania (Erie)
CIVIL DOCKET FOR CASE #: 1:98-cv-00272-SJM**

ERIE COUNTY RETIREES, et al v. COUNTY OF ERIE, PA, et al
Date Filed: 09/18/1998
Date Terminated: 03/20/2002
Assigned to: Judge Sean J. McLaughlin
Jury Demand: Plaintiff
Demand: \$0
Nature of Suit: 442 Civil Rights: Jobs
Case in other court: 99-03877
Jurisdiction: Federal Question
Cause: 29:621 Job Discrimination (Age)

Plaintiff

**ERIE COUNTY RETIREES
ASSOCIATION**

represented by **Daniel J. Pastore**
The McDonald Group
P.O. Box 1757
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(814) 456-5318
Fax: 814-456-3840
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

LYMAN H. COHEN
*for himself and all others similarly
situated*

represented by **Daniel J. Pastore**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

COUNTY OF ERIE, PA
*THE COUNTY OF ERIE,
PENNSYLVANIA*

represented by **Mark J. Kuhar**
Knox, McLaughlin, Gornall & Sennett
120 West Tenth Street
Erie, PA 16501
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Richard A. Lanzillo
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120 West Tenth Street
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(814) 459-2800
Email: rlanzillo@kmgslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**ERIE COUNTY EMPLOYEES'
RETIREMENT BOARD**

represented by **John E. Cooper**
305 French Street
Erie, PA 16507
(814) 455-3436
Email: johncooperlaw@msn.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/18/1998	1	COMPLAINT ; jury demand Filing Fee \$ 150.00 Receipt # 126936 (mad) (Entered: 09/18/1998)
09/18/1998	2	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN for Preliminary Injunction with Proposed Order. (mad) (Entered: 09/18/1998)
09/18/1998	3	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [2-1] motion for Preliminary Injunction by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 09/18/1998)
09/22/1998	4	NOTICE of Attorney Appearance for COUNTY OF ERIE, PA by Richard A. Lanzillo, Mark J. Kuhar (mad) (Entered: 09/22/1998)
09/23/1998	5	Initial Status Conference set for 10:00 9/25/98 before McLaughlin, J. (mad) (Entered: 09/23/1998)
09/25/1998	6	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN to approve maintenance of this action as an Opt-In Class Action, to certify the Members of the Class, and to approve the form of notice to Class Members and consents to Opt-In with Proposed Order. (mad) (Entered: 09/25/1998)
09/25/1998	7	Status Conference held 9/25/98 @ 10:00 am before Judge Sean J. McLaughlin [Reporter: Ron Bench] Response to motion for Prl. Inj. w/brief in support due w/in 20 days or 10/15/98. A brief in support of motion to certify w/in 10 days and a reply 10 days after that. Expedited discovery be concluded by 11/9/98. A reply to deft's response w/in 5 days for the motion for Prl. Injunction. (mad) Modified on 09/19/2000 (Entered: 09/25/1998)
09/30/1998	8	NOTICE of Attorney Appearance for ERIE COUNTY EMPLOYEE by John E. Cooper (mad) (Entered: 10/01/1998)
10/05/1998	9	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [6-1] motion to approve maintenance of this action as an Opt-In Class Action, to certify the Members of the Class, and to approve the form of notice to Class Members and consents to Opt-In by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 10/05/1998)
10/08/1998	10	WAIVER OF SERVICE Returned Executed as to ERIE COUNTY EMPLOYEE on 9/18/98 Answer due on 11/17/98 for ERIE COUNTY EMPLOYEE (mad) (Entered: 10/09/1998)
10/14/1998	11	MOTION by COUNTY OF ERIE, PA to Extend BRIEFING SCHEDULE with Proposed Order. (mad) Modified on 03/22/2002 (Entered: 10/14/1998)
10/15/1998		ORDER upon motion granting [11-1] motion to Extend BIEFING SCHEDULE, Brief in Opposition set to 10/22/98 for [6-1] motion to approve maintenance of this action as an Opt-In Class Action, to certify the Members of the Class, and to approve the form of notice to Class Members and consents to Opt-In, set to 10/22/98 for [2-1] motion for Preliminary Injunction (signed by Judge Sean J. McLaughlin on 10/15/98) CM all parties of record. (mad) (Entered: 10/15/1998)
10/22/1998	12	BRIEF by ERIE COUNTY RETIREES in opposition to [2-1] motion for Preliminary Injunction by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 10/22/1998)
11/23/1998	13	RESPONSE by COUNTY OF ERIE, PA to [6-1] motion to approve maintenance of this action as an Opt-In Class Action, to certify the Members of the Class, and to approve the form of notice to Class Members and consents to Opt-In by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 11/23/1998)
11/24/1998	14	BRIEF by ERIE COUNTY EMPLOYEE in opposition to [2-1] motion for Preliminary Injunction by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 11/24/1998)

11/25/1998	15	ANSWER to Complaint by COUNTY OF ERIE, PA (Attorney) (nk) (Entered: 11/25/1998)
01/14/1999	16	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN for Partial Summary Judgment with Proposed Order. (mad) (Entered: 01/14/1999)
01/14/1999	17	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [16-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 01/14/1999)
01/14/1999	18	APPENDIX to [16-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 01/14/1999)
01/15/1999	19	ORDER, that the defts file a Brief in Opposition set to 2/5/99 for [16-1] motion for Partial Summary Judgment (signed by Judge Sean J. McLaughlin on 1/15/99) CM all parties of record. (mad) (Entered: 01/15/1999)
01/19/1999	20	ANSWER to Complaint by ERIE COUNTY EMPLOYEE (Attorney John E. Cooper) (mad) (Entered: 01/19/1999)
01/21/1999	21	Status Conference set for 1:30 2/10/99 before McLaughlin, J. (mad) (Entered: 01/21/1999)
02/02/1999	22	MOTION by COUNTY OF ERIE, PA to Extend Time to file brief in opposition to motion for summary judgment with Proposed Order. (mad) (Entered: 02/02/1999)
02/02/1999		ORDER upon motion granting [22-1] motion to Extend Time to file brief in opposition to motion for summary judgment, Brief in Opposition set to 2/26/99 for [16-1] motion for Partial Summary Judgment (signed by Judge Sean J. McLaughlin on 2/2/99) CM all parties of record. (mad) (Entered: 02/02/1999)
02/10/1999	23	Status Conference held 2/10/99 @ 1:32 p.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Pltfs' motion (document #2) for preliminary injunction is withdrawn without prejudice to be refiled in the future, if appropriate. Defts fore swear any intention to file a motion for Rule 11 sanctions. Oral argument will be set following receipt of all briefs on summary judgment motions. Pltfs' motion (document #6) to approve maintenance of this action as an opt-in class action, to certify the member of the class, and to approve the form of notice to class members and consents to opt-in is GRANTED. (mad) Modified on 09/19/2000 (Entered: 02/10/1999)
02/24/1999	24	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN to approve Stipulation to add Members to Class, to amend Notices to Class Members and Consents to Opt-In, and to extend the deadlines to send notices and file Consents with Proposed Order. (mad) (Entered: 02/24/1999)
02/24/1999		ORDER upon motion granting [24-1] motion to approve Stipulation to add Members to Class, to amend Notices to Class Members and Consents to Opt-In, and to extend the deadlines to send notices and file Consents (signed by Judge Sean J. McLaughlin on 2/24/99) CM all parties of record. (mad) (Entered: 02/24/1999)
03/02/1999	25	CONSENTS TO JOIN CLASS ACTION (FIRST FILING) (mad) (Entered: 03/02/1999)
03/02/1999	26	MOTION by COUNTY OF ERIE, PA for Partial Summary Judgment with Proposed Order. (mad) (Entered: 03/02/1999)
03/02/1999	27	BRIEF by COUNTY OF ERIE, PA in opposition to [16-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES AND in support of the County's Cross-Motion for partial Summary Judgment (mad) (Entered: 03/02/1999)
03/02/1999	28	APPENDIX to [26-1] motion for Partial Summary Judgment by COUNTY OF ERIE, PA (mad) (Entered: 03/02/1999)
03/16/1999	29	REPLY BRIEF IN SUPPORT by ERIE COUNTY RETIREES, LYMAN H. COHEN of their motion for partial summary judgment and in opposition to deft's motion for partial summary judgment (mad) (Entered: 03/16/1999)

03/17/1999	30	CONSENTS TO JOIN CLASS ACTION (SECOND FILING) (mad) (Entered: 03/17/1999)
03/19/1999	31	Hearing on Motion re: [26-1] motion for Partial Summary Judgment by COUNTY OF ERIE, PA set for 9:00 4/30/99 before McLaughlin, J. (mad) (Entered: 03/19/1999)
03/24/1999	32	SUPPLEMENT by ERIE COUNTY RETIREES, LYMAN H. COHEN to [25-1] remark (mad) (Entered: 03/24/1999)
03/25/1999	33	CONSENTS TO JOIN CLASS ACTION (THIRD FILING) (mad) (Entered: 03/26/1999)
04/30/1999	34	Hearing on Motion held re: [26-1] motion for Partial Summary Judgment by COUNTY OF ERIE, PA, [16-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES [Reporter: Darlene Traficanti] (mad) (Entered: 05/03/1999)
09/07/1999	35	Status Conference held 9/7/99 @ 3:00 pm before Judge Sean J. McLaughlin [Reporter: Ron Bench] Parties will be permitted to file supplemental briefs, on or before 9/13/99 addressing the applicability of the older workers benefit protection act to retirees. (mad) (Entered: 09/07/1999)
09/13/1999	36	SUPPLEMENTAL BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN on the Applicability of the ADEA to Retirees (mad) (Entered: 09/13/1999)
09/13/1999	37	SUPPLEMENTAL BRIEF by ERIE COUNTY EMPLOYEE (mad) (Entered: 09/13/1999)
09/16/1999	38	Status Conference held 9/16/99 @ 10:55 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Deft is directed to file its requested supplemental affidavit by Mondy, 9/20/99 (sealed) Modified on 09/19/2000 (Entered: 09/16/1999)
09/20/1999	39	AFFIDAVIT by Edward C. Althof (mad) (Entered: 09/20/1999)
09/30/1999	40	ORDER denying [16-1] motion for Partial Summary Judgment granting [26-1] motion for Partial Summary Judgment, for judgment in favor of defendant as to Count 1 in accordance with the terms of the accompanying Memorandum Opinion (signed by Judge Sean J. McLaughlin on 9/30/99 CM all parties of record. (nk) (Entered: 09/30/1999)
10/07/1999	41	Status Conference set for 10:00 AM on 10/12/99 before Judge McLaughlin. (nk) (Entered: 10/08/1999)
10/13/1999	42	Status Conference held 10/12/99 @ 10:00 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Plts withdraw all remaining aspects of their ADEA claims. The Court will take under advisement the parties' request for continued supplemental jurisdiction over Count II pursuant to 28:1367. The Court will subsequently enter an order indicating whether or not it will continue to exercise supplemental jurisdiction over Count II. (mad) (Entered: 10/18/1999)
10/18/1999	43	ORDER, for the reasons set forth above, that pltfs' state law claims under Count II of the Complaint are Dismissed without prejudice to 28:1367. (signed by Judge Sean J. McLaughlin on 10/18/99) CM all parties of record. (mad) (Entered: 10/18/1999)
10/18/1999		Case closed (mad) (Entered: 10/18/1999)
10/26/1999	44	STATEMENT OF ISSUES PURSUANT TO F.R.A.P. 10(B)(3)(A) (mad) (Entered: 10/26/1999)
10/26/1999	45	CERTIFICATION PURSUANT TO F.R.A.P. 10 (b)(1)(B) (mad) (Entered: 10/26/1999)
10/26/1999	46	NOTICE OF APPEAL by ERIE COUNTY RETIREES, LYMAN H. COHEN from [43-1] order Dismissed dated 10/18/99 FILING FEE \$ 105.00 RECEIPT # 00000076 TPO issued. (mad) (Entered: 10/26/1999)
10/26/1999		Certified copy of Notice of Appeal [46-1] appeal by LYMAN H. COHEN, ERIE COUNTY RETIREES , certified copy of docket, certified copy of order dated

		10/18/99 mailed to USCA; copy of Notice of Appeal and information sheet to ERIE COUNTY RETIREES, LYMAN H. COHEN , court reporter(s), and judge. Copy of information sheet to appellant. (mad) (Entered: 10/26/1999)
11/01/1999		NOTICE of Docketing ROA from USCA Re: [46-1] appeal by LYMAN H. COHEN, ERIE COUNTY RETIREES USCA Number: 99-3877 (mad) (Entered: 11/01/1999)
11/05/1999	47	Transcript Purchase order re: [46-1] appeal by LYMAN H. COHEN, ERIE COUNTY RETIREES by ERIE COUNTY RETIREES NONE (mad) (Entered: 11/09/1999)
11/09/1999		Record complete for Appeal purposes, certified copy of docket entries forwarded to USCA. (mad) (Entered: 11/09/1999)
04/17/2000	48	TRANSCRIPT Status Conference before McLaughlin, J. for date of 10/12/99. Court Reporter: Ronald J. Bench. (mad) (Entered: 04/17/2000)
08/08/2000		SLIP OPINION from USCA. (mad) (Entered: 08/09/2000)
09/15/2000	49	Status Conference set for 9:00 9/19/00 before McLaughlin, J. (mad) (Entered: 09/15/2000)
09/18/2000	50	Certified copy of JUDGMENT issued in lieu of a formal mandate received from USCA re: [46-1] appeal by LYMAN H. COHEN, ERIE COUNTY RETIREES that the order for partial summary judgment of the district court entered 9/30/99, is hereby reversed. We remand the matter to the district court for further proceedings consistent with the opinion. Costs taxed against appellees. Costs Taxed in favor of appellants as follows: Briefs, Appendix and Docketing Fee \$598.17. (mad) Modified on 09/19/2000 (Entered: 09/18/2000)
09/18/2000		Case reopened (mad) (Entered: 09/18/2000)
09/18/2000		MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN for Partial Summary Judgment with Proposed Order. Per document # 50. (mad) (Entered: 09/28/2000)
09/19/2000	51	NOTICE of change of address of Daniel Pastore counsel for pltf by ERIE COUNTY RETIREES, LYMAN H. COHEN as follows: 5401 Uhlman Road Fairview, PA 16415. Phone (814) 823-6136. (mad) (Entered: 09/19/2000)
09/19/2000	52	Case Management Conference held 9/19/00 @ 9:05 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Clerk to re-file (unterminate) Document # 16 as a result of Circuit decision. Counsel for deft will notify US of Discovery or supplemental brief; Pltf's supplemental brief due 10/2/00, Deft due 10/9/00. (mad) (Entered: 09/19/2000)
09/27/2000	53	SUPPLEMENT by ERIE COUNTY RETIREES, LYMAN H. COHEN to [17-1] support brief by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 09/27/2000)
10/04/2000	54	SUPPLEMENT BRIEF by COUNTY OF ERIE, PA to Equal Benefit (nk) (Entered: 10/04/2000)
10/06/2000	55	Settlement Conference set for 1:30 PM on 10/11/00 before Judge McLaughlin. (nk) (Entered: 10/06/2000)
10/18/2000	56	Status Conference held 10/18/00 @ 10:20 am before Judge Sean J. McLaughlin [Reporter: Ron Bench] Parties to advise Court of Status w/in 10 days. (mad) (Entered: 10/18/2000)
01/17/2001	57	Status Conference held 1/17/01 @ 2:50 p.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] (mad) (Entered: 01/17/2001)
02/09/2001	58	Hearing ORAL ARGUMENT on Motion re: [0-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES set for 1:30 2/14/01 before McLaughlin, J. (mad) (Entered: 02/12/2001)

02/15/2001	59	Hearing on Motion held on 2/15/01 @ 1:30 p.m. before McLaughlin, J. re: [0-1] motion for Partial Summary Judgment by LYMAN H. COHEN, ERIE COUNTY RETIREES [Reporter: Annette Seager] (mad) (Entered: 02/16/2001)
02/21/2001	60	ORDER that the Transcript of the argument held before McLaughlin, J. on 2/14/01 be filed with the Court. All costs to be BORNE by the Court. (signed by Judge Sean J. McLaughlin on 2/21/01) CM all parties of record. (mad) (Entered: 02/21/2001)
03/15/2001	61	NOTICE from the Supreme Court of the United States by the USCA. (mad) Modified on 03/22/2002 (Entered: 03/16/2001)
03/27/2001	62	TRANSCRIPT if Proceedings before McLaughlin, J. for date of 2/15/01. Court Reporter: Annette Seager. (mad) (Entered: 03/28/2001)
04/10/2001	63	Tele-conference held 4/10/01 @ 11:00 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] (mad) (Entered: 04/10/2001)
04/16/2001	64	MEMORANDUM OPINION AND ORDER denying [26-1] motion for Partial Summary Judgment, granting [16-1] motion for Partial Summary Judgment (signed by Judge Sean J. McLaughlin on 4/16/01) CM all parties of record. (mad) (Entered: 04/17/2001)
04/24/2001	65	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN to add class members with Proposed Order. (mad) (Entered: 04/25/2001)
04/24/2001	66	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [65-1] motion to add class members by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 04/25/2001)
04/26/2001	67	Status Conference held 4/25/01 2:30 p.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Parties are to advise the court prior to or as May 15th whether a settlement can be reached, if the parties are unable to reach a settlement, Deft's motion and supporting brief on liquidated damages and loss of choice are due on 6/4 &Pltf's response due on 6/14th, and pltf's motion and supporting brief on the issue of offset due 6/4 and deft's response due 6/14. (mad) (Entered: 04/30/2001)
04/26/2001		Deadline updated; Deft's set Motion and supporting brief on liquidated damages and loss of choice are due Filing deadline to 6/4/01 , Pltf's response due on Response to Motion set to 6/14/01 , and pltf's motion and supporting brief on the issue of offset due set Motion Filing deadline to 6/4/01 , and Deft's response due Response to Motion set to 6/14/01 for [65-1] motion to add class members (mad) (Entered: 04/30/2001)
05/03/2001	68	RESPONSE by COUNTY OF ERIE, PA to [65-1] motion to add class members by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 05/03/2001)
05/03/2001	69	BRIEF by COUNTY OF ERIE, PA in support of its response to pltf's motion to add Class Members (mad) Modified on 05/17/2001 (Entered: 05/03/2001)
05/09/2001	70	REPLY BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [65-1] motion to add class members by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 05/09/2001)
05/21/2001	71	Status Conference held 5/21/01 @ 10:00 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Motion to Add New Class Member (Doc. 65) taken under advisement (mad) (Entered: 05/21/2001)
06/04/2001	72	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN in Limine Re: Offset of Damages with Proposed Order. (mad) (Entered: 06/05/2001)
06/04/2001	73	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [72-1] motion in Limine Re: Offset of Damages by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 06/05/2001)
06/04/2001	74	MOTION by COUNTY OF ERIE, PA, ERIE COUNTY EMPLOYEE in Limine with Proposed Order. (mad) (Entered: 06/05/2001)

06/04/2001	75	BRIEF by COUNTY OF ERIE, PA, ERIE COUNTY EMPLOYEE in support of [74-1] motion in Limine by ERIE COUNTY EMPLOYEE, COUNTY OF ERIE, PA (mad) (Entered: 06/05/2001)
06/12/2001	76	BRIEF IN RESPONSE by COUNTY OF ERIE, PA, ERIE COUNTY EMPLOYEE to pltfs' first Motion in Lime Re: Offset of Damages (mad) (Entered: 06/12/2001)
06/14/2001	77	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in opposition to [74-1] motion in Limine by ERIE COUNTY EMPLOYEE, COUNTY OF ERIE, PA (mad) (Entered: 06/15/2001)
06/14/2001	78	AFFIDAVIT by ERIE COUNTY RETIREES, LYMAN H. COHEN Daniel J. Pastore Re: [77-1] brief in opposition by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 06/15/2001)
06/22/2001	79	REPLY BRIEF by COUNTY OF ERIE, PA in support of [74-1] motion in Limine by ERIE COUNTY EMPLOYEE, COUNTY OF ERIE, PA (mad) (Entered: 06/22/2001)
06/28/2001	80	Hearing on Motion re: [74-1] motion in Limine by ERIE COUNTY EMPLOYEE, COUNTY OF ERIE, PA set for 9:00 7/21/01, [72-1] motion in Limine Re: Offset of Damages by LYMAN H. COHEN, ERIE COUNTY RETIREES set for 9:00 7/12/01, [65-1] motion to add class members by LYMAN H. COHEN, ERIE COUNTY RETIREES set for 9:00 7/12/01 (mad) (Entered: 06/28/2001)
07/12/2001	81	Hearing on Motion held 7/12/01 @ 9:00 a.m. before McLaughlin, J. re: [74-1] motion in Limine by ERIE COUNTY EMPLOYEE, COUNTY OF ERIE, PA, [72-1] motion in Limine Re: Offset of Damages by LYMAN H. COHEN, ERIE COUNTY RETIREES, [65-1] motion to add class members by LYMAN H. COHEN, ERIE COUNTY RETIREES [Reporter: Ron Bench] Motions taken under advisement. (mad) (Entered: 07/12/2001)
08/23/2001	82	MEMORANDUM OPINION AND ORDER denying [65-1] motion to add class members (signed by Judge Sean J. McLaughlin on 8/23/01) CM all parties of record. (mad) Modified on 08/30/2001 (Entered: 08/23/2001)
08/23/2001	84	MEMORANDUM OPINION AND ORDER denying [72-1] motion in Limine Re: Offset of Damages (signed by Judge Sean J. McLaughlin on 8/23/01) CM all parties of record. (mad) Modified on 08/30/2001 (Entered: 08/23/2001)
08/23/2001	85	TRANSCRIPT of Hearing on pending motions for date of 7/12/01 before McLaughlin, J. Court Reporter: Ronald J. Bench. (mad) (Entered: 08/23/2001)
08/23/2001	83	MEMORANDUM OPINION AND ORDER granting in part, denying in part [74-1] motion in Limine (signed by Judge Sean J. McLaughlin on 8/23/01) CM all parties of record. (mad) (Entered: 09/12/2001)
09/13/2001	86	Status Conference held 9/13/01 before Judge Sean J. McLaughlin [Reporter: Ron Bench] Settlement Conference planned – parties will call with dates. (mad) (Entered: 09/13/2001)
09/14/2001	87	Settlement Conference set for 9:00 10/11/01 before McLaughlin, J. (mad) (Entered: 09/14/2001)
09/14/2001	88	CASE MANAGEMENT ORDER setting Discovery cutoff on 1/11/02 ; Pretrial Statements for Plaintiffs due 3/12/02 ; Pretrial Statements for Defendants due 4/2/02 ; Motion Filing deadline due 1/31/02 ; Response to motions due 2/20/02 ; (signed by Judge Sean J. McLaughlin on 9/14/01) CM all parties of record. (mad) (Entered: 09/14/2001)
09/14/2001		CASE DESIGNATED to Track 2. (mad) (Entered: 09/14/2001)
10/11/2001	89	Settlement Conference held before Judge Sean J. McLaughlin [Reporter: Ron Bench]. Erie county retirees settlement/status rescheduled to 11-1-01 at 9 AM once relevant data is provided by Highmark. (sdp) (Entered: 10/11/2001)
10/15/2001	90	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN to Compel with Proposed Order. (mad) (Entered: 10/15/2001)

10/16/2001	91	NOTICE to all Members of the Plaintiff Class by ERIE COUNTY RETIREES, LYMAN H. COHEN (mad) (Entered: 10/17/2001)
10/16/2001	92	CERTIFICATE OF SERVICE by ERIE COUNTY RETIREES, LYMAN H. COHEN Re: Copy of the Court's Order of 10/15/01. (mad) (Entered: 10/17/2001)
10/18/2001		ORDER upon motion granting [90-1] motion to Compel (signed by Judge Sean J. McLaughlin on 10/15/01) CM all parties of record. (mad) Modified on 10/18/2001 (Entered: 10/18/2001)
11/01/2001	93	Settlement Conference held 11/1/01 @ 9:00 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Conference call to establish a fairness hearing 11/8/01 @ 3:00 p.m. Initiated by Rich Lanzillo. (sealed) (Entered: 11/01/2001)
11/08/2001	94	Status Conference held 11/8/01 at 3:00 p.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Case Settled for \$350,000. Fairness Hearing set for 12/20/01 at 9:00 a.m. (mad) (Entered: 11/08/2001)
11/16/2001	95	Stipulation by ERIE COUNTY RETIREES, LYMAN H. COHEN, COUNTY OF ERIE, PA, ERIE COUNTY EMPLOYEE for Proposed Settlement of class action with proposed order. (mad) Modified on 11/16/2001 (Entered: 11/16/2001)
11/16/2001		ORDER upon motion granting [95-1] stipulation for proposed Settlement of class action, for Settlement Hearing 12/20/01 @ 9:00 a.m. , Objection Deadline 12/15/01 (signed by Judge Sean J. McLaughlin on 11/16/01) CM all parties of record. (mad) (Entered: 11/16/2001)
11/19/2001	96	CERTIFICATE OF SERVICE by ERIE COUNTY RETIREES, LYMAN H. COHEN (mad) (Entered: 11/19/2001)
12/07/2001	97	Status Conference held 12/7/01 @ 1:30 p.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] Settlement Hearing – Briefs due 12/17/01 (mad) (Entered: 12/07/2001)
12/17/2001	98	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of SETTLEMENT f (mad) Modified on 09/11/2002 (Entered: 12/17/2001)
12/19/2001	99	MOTION by ERIE COUNTY RETIREES, LYMAN H. COHEN for Approval of Attorney Fees with Proposed Order. (mad) (Entered: 12/19/2001)
12/19/2001	100	BRIEF by ERIE COUNTY RETIREES, LYMAN H. COHEN in support of [99-1] motion for Approval of Attorney Fees by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 12/19/2001)
12/19/2001	101	SUPPLEMENT by ERIE COUNTY RETIREES, LYMAN H. COHEN to [99-1] motion for Approval of Attorney Fees by LYMAN H. COHEN, ERIE COUNTY RETIREES (mad) (Entered: 12/19/2001)
12/20/2001	102	HEARING ON FAIRNESS OF PROPOSED Settlement held 12/20/01 before Judge Sean J. McLaughlin [Reporter: Ron Bench] Ex. F. Affidavit – marked and Admitted; Ex. G – COC Survey – marked and admitted; Ex. H – COC Survey – marked and admitted; Ex I – total Highmark document production – marked & Admitted; Ex J – random list of pltf's – marked and admitted. (mad) Modified on 12/26/2001 (Entered: 12/26/2001)
01/10/2002	103	TRANSCRIPT of Hearing on Fairness of proposed Settlement for date of 12/20/01. Court Reporter: Ronald J. Bench. (mad) (Entered: 01/10/2002)
02/19/2002	104	Tele-conference held 2/19/02 10:30 a.m. before Judge Sean J. McLaughlin [Reporter: Ron Bench] (mad) (Entered: 02/19/2002)
03/20/2002	105	MEMORANDUM OPINION AND ORDER granting [99-1] motion for Approval of Attorney Fees, approved [95-1] stipulation for Proposed Settlement of class action (signed by Judge Sean J. McLaughlin on 3/20/02) The Clerk is directed to mark this matter CLOSED. CM all parties of record. (mad) (Entered: 03/20/2002)
03/20/2002		Case closed (mad) (Entered: 03/20/2002)