

CLOSED, APPEAL, SPECIAL

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:16-cv-01991-PBT**

LONG v. SOUTHEASTERN PENNSYLVANIA  
TRANSPORTATION AUTHORITY  
Assigned to: HONORABLE PETRESE B. TUCKER  
Case in other court: USCA FOR THE THIRD CIRCUIT,  
17-01889

Cause: 15:1681 Fair Credit Reporting Act

**Plaintiff**

**FRANK LONG**  
*INDIVIDUALLY AND ON BEHALF OF  
ALL OTHERS SIMILARLY SITUATED*

Date Filed: 04/27/2016  
Date Terminated: 04/05/2017  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights:  
Employment  
Jurisdiction: Federal Question

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**Plaintiff**

**JOSEPH SHIPLEY**

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**Plaintiff**

**MICHAEL WHITE**  
*INDIVIDUALLY AND ON BEHALF OF  
ALL OTHERS SIMILARLY SITUATED*

represented by **OSSAI MIAZAD**  
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V.

**Defendant**

**SOUTHEASTERN PENNSYLVANIA  
TRANSPORTATION AUTHORITY**

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Date Filed	#	Docket Text
04/27/2016	<u>1</u>	COMPLAINT against SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY ( Filing fee \$ 400 receipt number 139385.), filed by FRANK LONG.(rt) (Entered: 04/27/2016)
04/27/2016		Summons Issued as to SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY. One Forwarded To: Counsel on April 27, 2016 (rt) (Entered: 04/27/2016)
04/27/2016		DEMAND for Trial by Jury by FRANK LONG. (rt) (Entered: 04/27/2016)
05/17/2016	<u>2</u>	AFFIDAVIT of Service by John D. Scanlon re: served Summons In A Civil Action, Class Action Complaint, and related documents listed in affidavit upon Sylvia Page (authorized agent) on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY by Personal Service on 5/4/2016, answer due 5/25/2016. (GEFFEN, BENJAMIN) Modified on 5/19/2016 (md). (Entered: 05/17/2016)
05/18/2016	<u>3</u>	NOTICE of Appearance by RYAN ALLEN HANCOCK on behalf of FRANK LONG with Certificate of Service(HANCOCK, RYAN) (Entered: 05/18/2016)
05/18/2016	<u>4</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF CHERYL-LYN BENTLEY, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140628-\$40) (rf, ) (Entered: 05/19/2016)
05/18/2016	<u>5</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF ADAM T. KLEIN, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140628-\$40) (rf, ) (Entered: 05/19/2016)
05/18/2016	<u>6</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF CHRISTOPHER M. MCNERNEY, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140628-\$40) (rf, ) (Entered: 05/19/2016)
05/18/2016	<u>7</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF LEWIS M. STEEL, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140628-\$40) (rf, ) (Entered: 05/19/2016)
05/18/2016	<u>8</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF OSSAI MIAZAD, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140628-\$40) (rf, ) Modified on 5/23/2016 (md). (Entered: 05/19/2016)
05/19/2016	<u>9</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF MATEYA BETH KELLEY, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140662-\$40)(rf, ) (Entered: 05/19/2016)
05/19/2016	<u>10</u>	APPLICATION FOR PRO HAC VICE ADMISSION OF JON M. GREENBAUM, SPONSORS STATEMENT, CERTIFICATE OF SERVICE by FRANK LONG. (PPE140662-\$40) (rf, ) (Entered: 05/19/2016)
05/19/2016	<u>11</u>	NOTICE of Appearance by DANIELLE K. NEWSOME on behalf of FRANK LONG with Jury Demand / Certificate of Service (Attachments: # <u>1</u> Certificate of Service)(NEWSOME, DANIELLE) (Entered: 05/19/2016)
05/23/2016	<u>12</u>	STIPULATION AND ORDER THAT THE PARTIES STIPULATE THAT THE TIME FOR DEFENDANT TO ANSWER THE COMPLAINT IS EXTENDED FOR A PERIOD OF THIRTY DAYS UP TO AND INCLUDING 6/24/2016. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 5/20/16. 5/23/16 ENTERED AND COPIES E-MAILED.(gs) (Entered: 05/23/2016)

05/23/2016	<u>13</u>	NOTICE of Appearance by ELIZABETH A. MALLOY on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY with Certificate of Service(MALLOY, ELIZABETH) (Entered: 05/23/2016)
05/24/2016	<u>14</u>	NOTICE of Appearance by CANDIDUS K. DOUGHERTY on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY with Certificate of Service (Attachments: # <u>1</u> Certificate of Service)(DOUGHERTY, CANDIDUS) (Entered: 05/24/2016)
05/24/2016	<u>15</u>	NOTICE of Withdrawal of Appearance by CANDIDUS K. DOUGHERTY on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (Attachments: # <u>1</u> Certificate of Service)(DOUGHERTY, CANDIDUS) (Entered: 05/24/2016)
05/24/2016	<u>16</u>	NOTICE of Appearance by ANDREW HOPE on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY with Certificate of Service(HOPE, ANDREW) (Entered: 05/24/2016)
05/24/2016	<u>17</u>	NOTICE of Appearance by SAMANTHA L. SOUTHALL on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY with Certificate of Service(SOUTHALL, SAMANTHA) (Entered: 05/24/2016)
05/24/2016	<u>18</u>	NOTICE of Appearance by JEFFREY B. MCCARRON on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (Attachments: # <u>1</u> Certificate of Service of Entry of Appearance)(MCCARRON, JEFFREY) (Entered: 05/24/2016)
05/24/2016	<u>19</u>	NOTICE of Appearance by CANDIDUS K. DOUGHERTY on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (Attachments: # <u>1</u> Certificate of Service)(DOUGHERTY, CANDIDUS) (Entered: 05/24/2016)
05/24/2016	<u>20</u>	NOTICE of Appearance by MICHAEL A. COGNETTI on behalf of SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (Attachments: # <u>1</u> Certificate of Service)(COGNETTI, MICHAEL) (Entered: 05/24/2016)
05/26/2016	<u>21</u>	FIRST AMENDED COMPLAINT against SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY filed by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE, JURY TRIAL DEMAND(rf, ) Modified on 6/2/2016 (rf, ). (Entered: 05/27/2016)
05/27/2016	<u>22</u>	NOTICE of Appearance by MICHAEL HARDIMAN on behalf of FRANK LONG, CERTIFICATE OF SERVICE. (rf, ) (Entered: 05/27/2016)
06/02/2016	<u>23</u>	ORDER THAT CHERYL-LYN BENTLEY, ADAM T. KLEIN, CHRISTOPHER M. MCNERNEY, LEWIS M. STEEL, OSSAI MIAZAD, MATEYA BETH KELLY AND JON M. GREENBAUM ARE ADMITTED PRO HAC VICE TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE PENDENCY OF THIS MATTER. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 6/1/16. 6/2/16 ENTERED AND COPIES MAILED, E-MAILED.(rf, ) (Entered: 06/02/2016)
06/20/2016	<u>24</u>	STIPULATION AND ORDER THAT DEFENDANT HEREBY CONSENTS TO THE FILING OF THE FIRST AMENDED CLASS ACTION COMPLAINT (DOC. 21). TIME FOR DEFENDANT TO ANSWER, MOVE OR OTHERWISE RESPOND TO THE FIRST AMENDED CLASS ACTION COMPLAINT IS 6/24/16. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 6/20/16. 6/20/16 ENTERED AND COPIES MAILED, E-MAILED.(rf, ) (Entered: 06/20/2016)
06/24/2016	<u>25</u>	MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> filed by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY.Memorandum. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum of Law, # <u>3</u> Exhibit s A and B, # <u>4</u> Certificate of Service)(SOUTHALL, SAMANTHA) (Entered: 06/24/2016)
07/06/2016	<u>26</u>	STIPULATION AND ORDER BY AND BETWEEN COUNSEL THAT THE TIME FOR PLAINTIFFS TO RESPOND TO DEFENDANT'S MOTION TO DISMISS

		FOR LACK OF STANDING AND FAILURE TO STATE A CLAIM IS 7/22/2016. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 7/6/16. 7/6/16 ENTERED AND COPIES E-MAILED.(gs) (Entered: 07/06/2016)
07/22/2016	<u>27</u>	Memorandum of Law in Opposition re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> filed by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE. Certificate of Service. (Attachments: # <u>1</u> Exhibit A)(MIAZAD, OSSAI) Modified on 7/26/2016 (tjd). (Entered: 07/22/2016)
07/28/2016	<u>28</u>	MOTION for Leave to File <i>Reply to Plaintiffs' Opposition to Defendants's Motion to Dismiss Plaintiffs' First Amended Class Action Complaint</i> filed by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY.Memorandum and Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order)(SOUTHALL, SAMANTHA) (Entered: 07/28/2016)
07/28/2016	<u>29</u>	RESPONSE to Motion re <u>28</u> MOTION for Leave to File <i>Reply to Plaintiffs' Opposition to Defendants's Motion to Dismiss Plaintiffs' First Amended Class Action Complaint</i> filed by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE. (MIAZAD, OSSAI) (Entered: 07/28/2016)
08/01/2016	<u>30</u>	ORDER THAT PLAINTIFFS MOTION FOR LEAVE TO FILE A REPLY (DOC. 28) IS GRANTED. PLAINTIFFS SHALL FILE THEIR REPLY BRIEF WITHIN 10 DAYS OF THE DATE OF THIS ORDER. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 8/1/16. 8/2/16 ENTERED AND COPIES EMAILED.(rf, ) (Main Document 30 replaced on 8/2/2016) (rf, ). *ORDER IS VACATED PER COURT ORDER OF 8/3/16, DOC. 31* (Entered: 08/02/2016)
08/03/2016	<u>31</u>	ORDER THAT COURTS ORDER DATED 8/1/16 IS VACATED. FURTHER ORDERED THAT UPON CONSIDERATION OF DEFENDANTS MOTION FOR LEAVE TO FILE A REPLY (DOC. 28) AND PLAINTIFFS RESPONSE (DOC. 29), DEFENDANTS MOTION IS GRANTED. DEFENDANT SHALL FILE ITS REPLY BRIEF WITHIN 10 DAYS OF THE DATE OF THIS ORDER. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 8/3/16. 8/3/16 ENTERED AND COPIES EMAILED.(rf, ) (Entered: 08/03/2016)
08/04/2016	<u>32</u>	NOTICE by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim Plaintiffs' Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(MIAZAD, OSSAI) (Entered: 08/04/2016)
08/15/2016	<u>33</u>	Memorandum re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim Reply Memoradum in Further Support of Motion to Dismiss</i> filed by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY. (SOUTHALL, SAMANTHA) (FILED IN ERROR BY ATTY; ATTY HAS RE-FILED AT PAPER <u>34</u> ) Modified on 8/17/2016 (md). (Entered: 08/15/2016)
08/17/2016	<u>34</u>	REPLY to Response to Motion re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> filed by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY. (SOUTHALL, SAMANTHA) (Entered: 08/17/2016)
08/24/2016	<u>35</u>	ORDER THAT MOTION HEARING SET FOR 9/27/2016 10:00 AM. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 8/24/16. 8/25/16 ENTERED AND COPIES EMAILED.(rf, ) (Entered: 08/25/2016)
09/01/2016	<u>36</u>	NOTICE of Change of Address by CHERYL-LYN BENTLEY(BENTLEY, CHERYL-LYN) (Entered: 09/01/2016)
09/01/2016	<u>37</u>	NOTICE of Change of Address by CHRISTOPHER M MCNERNEY(MCNERNEY, CHRISTOPHER) (Entered: 09/01/2016)
09/01/2016	<u>38</u>	NOTICE of Change of Address by OSSAI MIAZAD(MIAZAD, OSSAI) (Entered: 09/01/2016)
09/08/2016	<u>39</u>	ORDER THAT UPON CONSIDERATION OF THE JOINT REQUEST TO CHANGE THE DATE OF ORAL ARGUMENT, FAXED TO THE COURT ON 8/30/16, IT IS ORDERED THAT ORAL ARGUMENT SHALL BE RE-SCHEDULED FOR 10/12/2016 AT 10:00 AM IN COURTROOM 16A. SIGNED

		BY CHIEF JUDGE PETRESE B. TUCKER ON 9/7/16. 9/8/16 ENTERED AND COPIES E-MAILED.(gs) (Entered: 09/08/2016)
09/19/2016	<u>40</u>	NOTICE of Change of Address by LEWIS M STEEL(STEEL, LEWIS) (Entered: 09/19/2016)
09/19/2016	<u>41</u>	NOTICE of Change of Address by ADAM T. KLEIN(KLEIN, ADAM) (Entered: 09/19/2016)
10/04/2016	<u>42</u>	NOTICE by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> Plaintiffs' Notice of Supplemental Authority (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(MIAZAD, OSSAI) (Entered: 10/04/2016)
10/06/2016	<u>43</u>	NOTICE by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(SOUTHALL, SAMANTHA) (Entered: 10/06/2016)
10/07/2016	<u>44</u>	NOTICE by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>43</u> Notice (Other) Plaintiffs' Response to Defendant's Notice of Supplemental Authority (MIAZAD, OSSAI) (Entered: 10/07/2016)
10/12/2016	<u>45</u>	NOTICE by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> Plaintiffs' Notice of Supplemental Authority (Attachments: # <u>1</u> Exhibit A)(MIAZAD, OSSAI) (Entered: 10/12/2016)
10/12/2016	<u>46</u>	Minute Entry for proceedings held before CHIEF JUDGE PETRESE B. TUCKER Motion Hearing held on 10/12/16 re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> filed by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY Court Reporter: L. MCCLOSKEY. (rf, ) (Entered: 10/13/2016)
11/28/2016	<u>47</u>	TRANSCRIPT of Oral Argument Proceedings held on 10/12/16 before Judge TUCKER. Court Reporter: L. MCCLOSKEY.. (rf, ) (Entered: 11/28/2016)
01/25/2017	<u>48</u>	NOTICE by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> Plaintiffs' Notice of Supplemental Authority (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(MIAZAD, OSSAI) (Entered: 01/25/2017)
02/01/2017	<u>49</u>	NOTICE by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY re <u>48</u> Notice (Other), Defendant's Response to Plaintiffs' Notice of Supplemental Authority (COGNETTI, MICHAEL) (Entered: 02/01/2017)
02/07/2017	<u>50</u>	NOTICE by SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY re <u>25</u> MOTION to Dismiss <i>for Lack of Standing and Failure to State a Claim</i> Defendant's Notice of Supplemental Authority (Attachments: # <u>1</u> Exhibit A)(COGNETTI, MICHAEL) (Entered: 02/07/2017)
02/10/2017	<u>51</u>	Plaintiffs' Response to Defendant's February 7, 2017 Notice of Supplemental Authority by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE re <u>50</u> Notice (Other). (MIAZAD, OSSAI) Modified on 2/13/2017 (fb). (Entered: 02/10/2017)
04/05/2017	<u>52</u>	MEMORANDUM AND/OR OPINION. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 4/5/17. 4/5/17 ENTERED AND COPIES EMAILED.(rf, ) (Entered: 04/05/2017)
04/05/2017	<u>53</u>	MEMORANDUM AND ORDER THAT DEFENDANTS MOTION TO DISMISS (DOC. 25) IS GRANTED. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 4/5/17. 4/5/17 ENTERED AND COPIES EMAILED. (rf) (Entered: 04/07/2017)
04/18/2017	<u>54</u>	ORDER THAT THE CLERK OF COURT SHALL MARK THE ABOVE CAPTIONED MATTER CLOSED FOR STATISTICAL PURPOSES. SIGNED BY CHIEF JUDGE PETRESE B. TUCKER ON 4/18/17. 4/18/17 ENTERED AND COPIES EMAILED.(rf, ) (Entered: 04/18/2017)

04/18/2017	<u>55</u>	NOTICE OF APPEAL as to <u>52</u> Memorandum and/or Opinion, <u>53</u> Order (Memorandum and/or Opinion) by FRANK LONG, JOSEPH SHIPLEY, MICHAEL WHITE, Certificate of Service. Filing fee \$ 505, receipt number 0313-12009736. Copies to Judge, Clerk USCA, Appeals Clerk. (MIAZAD, OSSAI) Modified on 4/18/2017 (md). (Entered: 04/18/2017)
04/21/2017	56	NOTICE of Docketing Record on Appeal from USCA re <u>55</u> Notice of Appeal (Credit Card Payment), filed by FRANK LONG, MICHAEL WHITE, JOSEPH SHIPLEY. USCA Case Number 17-1889 (rf, ) (Entered: 04/21/2017)