

CLOSED

**U.S. District Court**  
**Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.0.6] (Syracuse)**  
**CIVIL DOCKET FOR CASE #: 5:02-cv-01589-NAM-DEP**

Olvera-Morales v. Sterling Onions, Inc, et al  
Assigned to: Chief Judge Norman A. Mordue  
Referred to: Magistrate Judge David E. Peebles  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 12/23/2002  
Date Terminated: 06/17/2005  
Jury Demand: Defendant  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Marcela Olvera-Morales**  
*on behalf of herself and all others similarly  
situated*

represented by **Andrew Keith Solow**  
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V.

**Defendant**

**Sterling Onions, Inc**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
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**Defendant**

**Zappala Farms, LLC**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Defendant**

**Zappala Holding Company, LLC**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Defendant**

**Zappala Enterprises, Inc.**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
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**Defendant**

**James Zappala**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
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**Defendant**

**International Labor Management Corporation, Inc.**

represented by **Robin E. Shea**  
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**Defendant**

**North Carolina Growers' Association,  
Inc.**

represented by **Robin E. Shea**  
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*TERMINATED: 01/18/2005*

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**Defendant**

**Del-AI Associates, Inc.**

represented by **Gary L. Fuller**  
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**Cross Claimant**

**Sterling Onions, Inc**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Cross Claimant**

**Zappala Farms, LLC**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Cross Claimant**

**Zappala Holding Company, LLC**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Cross Claimant**

**Zappala Enterprises, Inc.**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

**Cross Claimant**

**James Zappala**  
*TERMINATED: 10/21/2004*

represented by **Joseph E. Wallen**  
(See above for address)  
*TERMINATED: 10/21/2004*  
*LEAD ATTORNEY*

V.

**Cross Defendant**

**International Labor Management Corporation, Inc.**

represented by **Robin E. Shea**  
(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Subhash Viswanathan**  
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**Cross Defendant**

**North Carolina Growers' Association,  
Inc.**

represented by **Robin E. Shea**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Subhash Viswanathan**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Del-AI Associates, Inc.**

represented by **John T. McCann**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/23/2002	<a href="#">1</a>	COMPLAINT filed; FILING FEE \$ 150 RECEIPT # 66751 ; Service deadline 2/21/03 for Del-AI Associates, for NC Growers' Assoc, for International Labor, for James Zappala, for Zappala Enterprises, for Zappala Holding, Co., for Zappala Farms, LLC, for Sterling Onions, Inc (jt) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 12/26/2002)
12/23/2002		SUMMONS(ES) issued for Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises, James Zappala, International Labor, NC Growers' Assoc, Del-AI Associates (jt) (Entered: 12/26/2002)
12/23/2002		General Order 25 Filing Order Issued; Conference set before Magistrate Judge Gary L. Sharpe in Syracuse, Status Conference at 10:30 3/18/03 , Deadline for filing Case Management Plan, 3/8/03 , ADR Track Case. (jt) (Entered: 12/26/2002)
01/27/2003	<a href="#">2</a>	WAIVER OF SERVICE Returned Executed as to International Labor 1/13/03 Answer due on 3/14/03 for International; Signed by W.R. Loftis (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 01/27/2003)
01/27/2003	<a href="#">3</a>	WAIVER OF SERVICE Returned Executed as to NC Growers' Assoc 1/13/03 Answer due on 3/14/03 for NC Growers' Assoc; Signed by W.R. Loftis (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 01/27/2003)
02/13/2003	<a href="#">4</a>	SUMMONS Returned Executed; A Copy of the summons and complaint were

		served personally upon Jeff Warner, a registered agent to accept service for Del-AI Associates on 1/30/03 : Answer due on 2/19/03 for Del-AI Associates (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 02/13/2003)
02/18/2003	<a href="#">5</a>	WAIVER OF SERVICE Returned Executed as to Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises, James Zappala 1/13/03 Answer due on 3/14/03 (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 02/18/2003)
02/19/2003	<a href="#">6</a>	ANSWER to Complaint by Del-AI Associates (Attorney John T. McCann),; jury demand (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 02/19/2003)
02/20/2003	<a href="#">7</a>	LETTER dd 2/19/03 by Wendy R. Weiser, Esq for pltf Marcela Olvera-Morales requesting to adjourn the Rule 16 conference from 3/18/03 to 4/22/03. (jlm) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/02/2003)
03/03/2003	<a href="#">8</a>	Scheduling Notice by CRD McNicholas: reset Filing Order Deadlines: Conference set before Magistrate Judge Gary L. Sharpe in Syracuse, NY, Status Conference at 11:30 am on 4/22/03 by telephone; Pltf's atty. to initiate conference call, Deadline for filing Case Management Plan 4/11/03 (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/03/2003)
03/14/2003	<a href="#">9</a>	ANSWER to complaint and CROSSCLAIM by Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises, James Zappala (Attorney Joseph E. Wallen) against International Labor, NC Growers' Assoc, Del-AI Associates (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/14/2003)
03/14/2003	<a href="#">10</a>	NOTICE/Disclosure Statement on behalf of Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises, James Zappala (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/14/2003)
03/14/2003	<a href="#">11</a>	ANSWER to Complaint by International Labor, NC Growers' Assoc (Attorney Virginia A. Piekarski) (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/14/2003)
03/28/2003	<a href="#">12</a>	ANSWER by International Labor, NC Growers' Assoc to [9-2] cross claim of Defts. Sterling Onions' and Zappala Enterprises. (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 03/28/2003)
04/01/2003	<a href="#">13</a>	Scheduling Notice by CRD McNicholas: confirm Filing Order Deadlines: Conference set before Magistrate Judge Gary L. Sharpe by telephone, Status Conference at 11:30 am on 4/22/03, Pltf's atty. to initiate call; Deadline for filing Case Management Plan 4/11/03 (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 04/03/2003)
04/03/2003	<a href="#">14</a>	Amended CERTIFICATE OF SERVICE by International Labor, NC Growers' Assoc regarding Answer. (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 04/03/2003)
04/03/2003	<a href="#">15</a>	Amended CERTIFICATE OF SERVICE by International Labor, NC Growers' Assoc regarding Answer to Defts. Sterling Onions and Zappala Ent. crossclaim. (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 04/03/2003)

		04/03/2003)
04/15/2003	<a href="#">16</a>	Proposed Joint Civil Case Management Plan Submitted. (Imp) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 04/15/2003)
04/22/2003	<a href="#">17</a>	MINUTE ENTRY of Rule 16 Conference before MJ Sharpe: APP: Wendy Weiser, Esq., Daniel Wener, Esq. for Pltfs., Joseph Wallen, Esq., Virginia Piekarski, Esq., John T. McCann, Esq. and Gary Fuller, Esq. for Defts. - Parties discuss completing written discovery and depositions last; Atty Weiser for the pltf suggests that 30(b)(6) depositions may need to be done of 3 witness along with written discovery; Judge Sharpe opts case out of ADR; Judge Sharpe orders document requests and interrogatories to be served by 5/6/03; Reply to requests and interrogatories due 7/7/03; Atty Loftis and atty Fuller state they may want to file a motion to dismiss pursuant to 12(b)(6) after written discovery is completed; Atty Weiser states she may need to conduct Rule 30(b)(6) depositions to respond to the motions to dismiss; Judge Sharpe will not issue a pretrial scheduling order until after the motions have been decided by Judge Mordue; Judge Sharpe sets the motion deadlines. Dispositive motions to be filed by 8/7/03; Response to motions due 9/8/03; Reply to motion due 9/22/03; Motions shall be made returnable before Judge Mordue with a 10/22/03 return date. Judge Sharpe orders no Rule 30 (b)(6) depositions are to be taken at this time, and he will entertain additional discovery if the need arises to respond to the motion at the request of parties; Rule 16 conference to be scheduled after the decisions of the motions. (Courtroom Clerk: Judi L. McNicholas) (dmf) (Entered: 05/07/2003)
05/06/2003	<a href="#">18</a>	LETTER ORDER dtd 4/24/03 by MJ Sharpe: pursuant to telephone conference held on 4/22/03; All written discovery to be completed on or before 7/7/03 ; Requests to be served by 5/6/03 and Responses to be completed by 7/7/03; Dispositive Motions to be filed on or before 8/7/03 ; Motion response papers to be filed on or before 9/8/03; Motion reply papers to be filed on or before 9/22/03; Dispositive Motion(s) are to be made returnable on 10/22/03 before District Judge Norman A. Mordue. (signed by Magistrate Judge L. Sharpe) Date Entered: 4/24/03 (dmf) Modified on 05/12/2003 (Entered: 05/07/2003)
06/18/2003	<a href="#">19</a>	LETTER REQUEST dtd 6/16/03 by John T. McCann, Esq. and ORDER, Defts. have consented to a limited extension of the discovery deadline in this action, to allow pltfs. to serve written interrogatories on or before 6/13/03. Defts' deadline for responses/objections to the interrogatories would be extended to 8/13/03. This would result in limited changes to the dispositive motion deadlines: motion filed, 8/7/03; motion response papers, 9/16/03; motion reply papers, 9/30/03 and motion return date 10/22/03; granted. (signed by Magistrate Judge Gary L. Sharpe dtd 6/18/03) (dmf) (Entered: 06/23/2003)
08/06/2003	<a href="#">20</a>	MOTION by Joseph E. Wallen, Esq., on behalf of James Zappala, Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises for Summary Judgment ; with exhibit A attached; Hearing set for 10/15/03 at 10:00 A.M. in Syracuse; Motion returnable before Judge Mordue (Pursuant to Mag. Sharpe's letter order dtd 5/6/03 all dispositive motions are exempt from 7.1 (b)(1) package rule and each party shall file their own papers with the Court.) (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)



08/06/2003	<a href="#">21</a>	AFFIDAVIT: by Joseph E. Wallen, Esq., on behalf of James Zappala, Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises in support of [20-1] motion for Summary Judgment; w/attached exhibits A through J (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/06/2003	<a href="#">22</a>	Statement of Material Facts in Support of [20-1] motion for Summary Judgment filed by James Zappala, Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/06/2003	<a href="#">23</a>	MEMORANDUM OF LAW: by Joseph E. Wallen, Esq., on behalf of James Zappala, Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises in support of [20-1] motion for Summary Judgment (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/06/2003	<a href="#">24</a>	CERTIFICATE OF SERVICE: by Joseph E. Wallen, Esq., on behalf of James Zappala, Sterling Onions, Inc, Zappala Farms, LLC, Zappala Holding, Co., Zappala Enterprises Re: Service of Notice of Motion, Affidavits, Statement of Material and Undisputed Fact and Memo of Law on Daniel Werner, Esq. Wendy R. Weiser, Esq., W.R. Loftis, Esq, Gary Fuller, Esq. and John T. McCann, Esq. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/07/2003	<a href="#">25</a>	MOTION by W.R. Loftis, Jr., Esq. and Virginia A. Piekarski, Esq., on behalf of NC Growers' Assoc, and International Labor for Summary Judgment , Hearing set for 10/15/03 at 10:00 A.M. in Syracuse before Judge Mordue. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/07/2003	<a href="#">26</a>	AFFIDAVIT: of C. Stan Eury, President of International Labor Management Corp. in support of [25-1] motion for Summary Judgment. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/07/2003	<a href="#">27</a>	AFFIDAVIT: by Virginia A. Piekarski, Esq. on behalf of NC Growers' Assoc and International Labor in support of [25-1] motion for Summary Judgment; with attached exhibits 1 through 4. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/07/2003	<a href="#">28</a>	Statement of Material Facts in Support of [25-1] motion for Summary Judgment filed by NC Growers' Assoc. and International Labor (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/07/2003	<a href="#">29</a>	MEMORANDUM OF LAW: by W.R. Loftis, Esq. and Virginia A. Piekarski, Esq. on behalf of NC Growers' Assoc. and International Labor in support of [25-1] motion for Summary Judgment; with attached exhibits 1 through 6. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/11/2003)
08/14/2003	<a href="#">30</a>	MOTION by Gary Fuller, Esq. for deft. Del-Al Associates to Dismiss and for Summary Judgment , Hearing set for 10/15/03; Response Deadline 10/1/03, Reply to Response Deadline 10/8/03; Motion returnable before District Judge Mordue Mordue (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/14/2003)

08/14/2003	<a href="#">31</a>	MEMORANDUM OF LAW by Gary Fuller, Esq. for deft. Del-AI Associates in support of [30-1] motion to Dismiss and for Summary Judgment; Attached Exhibits 1-5 (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/14/2003)
08/14/2003	<a href="#">32</a>	Statement of Material Facts in Support of [30-1] motion to Dismiss and for Summary Judgment filed by Gary Hall, Esq. for deft. Del-AI Associates (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/14/2003)
08/14/2003	<a href="#">33</a>	AFFIDAVIT of Gary Fuller, Esq. for deft. Del-AI Associates Re: support of the [30-1] motion to Dismiss and for Summary Judgment; Attached Exhibits 1-7 (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/14/2003)
08/14/2003	<a href="#">34</a>	AFFIDAVIT of Jorge Del Alamo for deft. Del-AI Associates Re: support of the [30-1] motion to Dismiss and for Summary Judgment (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 08/14/2003)
09/16/2003	<a href="#">35</a>	MEMORANDUM OF LAW by Virginia A. Piekarski, Esq. on behalf of NC Growers' Assoc. and International Labor in OPPOSITION to [30-1] motion to Dismiss and for Summary Judgment; w/exhibit 1 attached. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 09/16/2003)
09/16/2003	<a href="#">36</a>	CERTIFICATE OF SERVICE: by Virginia A. Piekarski, Esq. on behalf of International Labor Mgmt. and NC Growers' Assoc., Re: service of a copy of the Memo of Law in Opposition to Defts' Motion for Summary Judgment upon the plaintiffs on 9/15/03. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 09/16/2003)
09/18/2003	<a href="#">37</a>	Scheduling Notice; Letter advising counsel for parties that the Court has taken the [30-1] motion to Dismiss the [25-1] motion for Summary Judgment and the [20-1] motion for Summary Judgment on submit for 10/15/03 before Judge Mordue; Parties need not appear for oral argument on that date; Notice sent by KCL (kcl) Additional attachment(s) added on 6/17/2005 (Imp, ). Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 09/18/2003)
09/24/2003	<a href="#">38</a>	LETTER REQUEST & ORDER: dated 9/22/03 by Daniel Werner, requesting a modification of the briefing scheduled on the defts' motion for summary judgment, request granted, plaintiff's will file their opposition papers on 10/3/03, defts' will file their reply papers on or about 10/17/03, the motion would therefore be returnable before Judge Mordue on 11/5/03. (Signed by Magistrate Judge Gary L. Sharpe) (jmb) (Entered: 10/02/2003)
09/29/2003	<a href="#">39</a>	LETTER REQUEST & ORDER: dated 9/26/03 by Daniel Werner, requesting a modification of the briefing scheduled on the defts' motion for summary judgment, request granted, plaintiff's will file their opposition papers on 10/24/03, defts' will file their reply papers on or about 11/7/03, the motion would therefore be returnable before Judge Mordue on 12/3/03. (Signed by Magistrate Judge Gary L. Sharpe) (jmb) Modified on 10/06/2003 (Entered: 10/06/2003)
10/24/2003	<a href="#">40</a>	LETTER REQUEST & ORDER: dated 10/21/03 by Daniel Werner, Esq., requesting leave to file a memorandum of law in excess of the 25 page limit, but not to exceed 45 pages, request granted. (Signed by Judge Norman A. Mordue)

		(jmb) (Entered: 10/30/2003)
10/27/2003	<a href="#">41</a>	PLTF'S RESPONSE TO DEFT DEL-AL'S STATEMENT OF MATERIAL FACTS by Marcela Olvera-Morales to [30-1] motion to Dismiss and for Summary Judgment (jt) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 10/30/2003)
10/27/2003	<a href="#">42</a>	PLTF'S RESPONSE TO ILMC AND NCGA'S STATEMENT OF MATERIAL FACTS by Marcela Olvera-Morales to [25-1] motion for Summary Judgment (jt) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 10/30/2003)
10/27/2003	<a href="#">43</a>	MEMORANDUM by Marcela Olvera-Morales in opposition to [30-1] motion to Dismiss and for Summary Judgment, [25-1] motion for Summary Judgment (jt) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 10/30/2003)
10/27/2003	<a href="#">44</a>	DECLARATION OF D. WERNER AND STATEMENT PURSUANT TO RULE 56(f) by Marcela Olvera-Morales Re: [30-1] motion to Dismiss and for Summary Judgment, [25-1] motion for Summary Judgment (jt) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 10/30/2003)
11/03/2003	<a href="#">45</a>	Change of Address received for Gary L. Fuller, Esq. Effective date: 11/3/03 for Del-Al Associates, defendant; New Address: Plunkett & Gibson, Inc., 70 N.E. Loop 410, Suite 1100, San Antonio, Texas 78216; Telephone No. (210)734-7092 and Fax No. (210)734-0379 (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/10/2003)
11/13/2003	<a href="#">46</a>	LETTER REQUEST and ORDER: dtd 11/6/03 by Gary L. Fuller, Esq. requesting to file its Reply to Plaintiffs' Memo of Law by 11/21/03; request granted. Motion is Returnable 12/17/03 and will be taken on submit. No appearances unless notified by Judge Mordue. (signed by Magistrate Judge Gary L. Sharpe ) (dmf) (Entered: 11/15/2003)
11/14/2003	<a href="#">47</a>	REPLY MEMORANDUM OF LAW: by W.R. Loftis, Jr., Esq. and Subhash Viswanathan, Esq. on behalf of Del-Al Associates and NC Growers' Assoc. in response to [30-1] motion to Dismiss and for Summary Judgment; with certificate of service attached. (dmf) Modified on 11/22/2003 Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/19/2003)
11/14/2003	<a href="#">48</a>	SUPPLEMENTAL AFFIDAVIT: of C. Standford Eury, Esq. on behalf of Del-Al Associates and NC Growers' Assoc Re: further support; with attached exhibits A through E. (dmf) Modified on 11/22/2003 Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/19/2003)
11/14/2003	<a href="#">49</a>	NOTICE OF ATTORNEY APPEARANCE: by Subhash Viswanathan, Esq. on behalf of NC Growers' Assoc. and International Labor. (dmf) Modified on 11/22/2003 Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/19/2003)
11/21/2003	<a href="#">50</a>	REPLY MEMEORANDUM OF LAW: by Gary L. Fuller, Esq. and John T. McCann, Esq. on behalf of Del-Al Associates in further support of [30-1] motion to Dismiss and for Summary Judgment; with certificate of service attached. (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/24/2003)

11/21/2003	<a href="#">51</a>	SUPPLEMENTAL AFFIDAVIT: of Jorge Del Alamo on behalf of Del-Al Associates in further support of [30-1] motion to Dismiss and for Summary Judgment (dmf) Additional attachment(s) added on 6/17/2005 (Imp, ). (Entered: 11/24/2003)
02/24/2004	<a href="#">53</a>	ORDER REASSIGNING CASE. Case reassigned to Judge David E. Peebles for all further proceedings. Judge Gary Sharpe no longer assigned to case as a Magistrate. Signed by Judge Frederick J. Scullin Jr. on 2/24/04. (jlm) (Entered: 03/01/2004)
02/27/2004	<a href="#">52</a>	Letter from Judge Mordue to counsel; Upon reviewing the record the Court requires the following language clarified before it can render its decision. Pltfs' memorandum of law in opposition to the motions to dismiss and the motions for summary judgment of defts ILMC, NCGA, and Del-Al, footnote 1. Further, in light of such acceptance, the Court requires a clarification as to the continuation of the Zappala entities' cross-complaint submitted against ILMC. Signed by Judge Mordue on 2/27/04. (jlm) (Entered: 03/01/2004)
03/08/2004	<a href="#">54</a>	Letter from Robin E. Shea, Esq for defts ILMC and NCGA responding to Judge Mordue's <a href="#">52</a> 2/27/04 Letter Order. Atty states it is their understanding that the named pltf did accept an Offer of Judgment on the part of the Zappala entities, so her claims against them are no longer pending. The Zappala entities' cross-complaint, as well as a motion for SJ, against defts ILMC and NCGA are still pending. (jlm) (Entered: 03/11/2004)
03/19/2004	<a href="#">55</a>	RESPONSE filed pursuant to the <a href="#">52</a> LETTER Order of Judge Mordue filed by Joseph Wallen, Esq for the "Zappala" defts and in agreement to the <a href="#">52</a> Letter by Robin Shea's stating it is their understanding that the named pltf did accept an Offer of Judgment on the part of the Zappala entities, so her claims against them are no longer pending. The Zappala entities' cross-complaint, as well as a motion for SJ, against defts ILMC and NCGA are still pending (jlm) (Entered: 03/19/2004)
05/07/2004	<a href="#">56</a>	Letter from Gary L. Fuller, Esq. re vacation schedule. (Imp) (Entered: 05/12/2004)
06/01/2004	<a href="#">57</a>	ORDER denying the <a href="#">20</a> Motion for Summary Judgment, denying the <a href="#">25</a> Motion for Summary Judgment, and denying the <a href="#">30</a> Motion to Dismiss. Signed by Judge Norman A. Mordue on 6/1/04. (jlm) (Entered: 06/02/2004)
06/28/2004	<a href="#">58</a>	NOTICE of Appearance by Jennifer Kay Brown on behalf of all plaintiffs (jlm) (Entered: 06/28/2004)
07/02/2004	<a href="#">59</a>	NOTICE OF SUBSTITUTION OF COUNSEL. <a href="#">58</a> Notice of Appearance filed by Marcela Olvera-Morales, Attorney Jennifer Kay Brown for Marcela Olvera-Morales added. Attorney Wendy R. Weiser terminated. (jlm) Additional attachment(s) added on 10/14/2004 (kcl, ). (Entered: 07/06/2004)
07/13/2004	<a href="#">60</a>	NOTICE by Del-Al Associates, Inc. <i>Gary L Fuller will be on vacation from Monday, July 19, 2004 through Friday, July 23, 2004.</i> (Fuller, Gary) (Entered: 07/13/2004)
07/22/2004	<a href="#">61</a>	MOTION for Limited Admission Pro Hac Vice of Timothy Casey by Marcela

		Olvera-Morales.(Imp) (Entered: 07/26/2004)
07/27/2004	<a href="#">62</a>	ORDER granting <a href="#">61</a> Motion for Limited Admission Pro Hac Vice of Timothy Casey, Esq. Signed by Judge Norman A. Mordue on 7/27/04. (Imp) (Entered: 07/28/2004)
08/10/2004	<a href="#">63</a>	G.O. 25 FILING ORDER ISSUED Initial Conference set for 10/21/2004 11:30 AM in Syracuse before Magistrate Judge David E. Peebles. Civil Case Management Plan due by 10/12/2004. (kcl, ) (Entered: 08/10/2004)
10/13/2004	<a href="#">64</a>	NOTICE of Appearance by Rachel H. Yarkon on behalf of Marcela Olvera-Morales (Yarkon, Rachel) (Entered: 10/13/2004)
10/13/2004	<a href="#">65</a>	NOTICE of Appearance by Neil S. Kaufman on behalf of Marcela Olvera-Morales (Kaufman, Neil) (Entered: 10/13/2004)
10/15/2004	<a href="#">66</a>	CIVIL CASE MANAGEMENT PLAN by International Labor Management Corporation, Inc., North Carolina Growers' Association, Inc.. (Viswanathan, Subhash) (Entered: 10/15/2004)
10/21/2004	<a href="#">67</a>	Minute Entry for proceedings held before Judge David E. Peebles : Initial Pretrial Conference held on 10/21/2004. Parties agree that there are no longer any cross-claims pending regarding the Zappala entities and Sterling Onion. Judge advises that the Zappala entities and Sterling Onion will be terminated from the court's docket as defendants in this lawsuit. Del-Al has presented a settlement offer to plaintiffs' counsel and settlement negotiations are ongoing. Del-Al is located in Virginia and ILMC is located in the MDNC. Parties discuss if this case should remain in this district. Plaintiffs' counsel states that they would oppose any motion to change venue. Initial disclosures have been exchanged and some discovery has been done regarding the previous motion for summary judgment that was filed. Plaintiffs' counsel advises that they will need supplemental discovery and requests additional interrogatories and depositions over the 25 interrog. & 10 depo. allowed by the court. Judge directs the parties to work on discovery and try to work this out. If they cannot, the parties are to request court intervention. Plaintiff currently resides in Mexico and does not speak English. Parties are working on holding plaintiff's deposition somewhere close to the border, since plaintiff may not have a visa to come into the U.S. for the deposition. Judge sets motions for class certification ddl. to 8/1/05. Joinder & amendment ddls. are set for 6/30/05, discovery ddl. is set for 10/31/05, and motion filing ddl. is set for 1/31/06. Jury trial is expected to last 10 days in Syracuse. Next telephone conference is set for 2/4/05 at 3:00 p.m.. Plaintiff's counsel is to initiate the call. (sal, ) (Entered: 10/22/2004)
10/22/2004		TEXT NOTICE of Hearing: Status Telephone Conference set for 2/4/2005 at 3:00 PM before Magistrate Judge David E. Peebles. Counsel for the parties are instructed to confer with each other at least one (1) week prior to the date of the conference to confirm their availability, and plaintiff's attorney, is directed to make arrangements for initiating the call to counsel for all parties and the court which should be contacted at (315) 234-8620.(sal, ) (Entered: 10/22/2004)
10/22/2004	<a href="#">68</a>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of trial: 10 days Jury Trial. Preferred Trial Location: Syracuse, NY. Joinder of Parties due by 6/30/2005. Amended Pleadings due by 6/30/2005. Discovery due by



		10/31/2005. Motions to be filed by 1/31/2006. Parties opt out of ADR program. Signed by Judge David E. Peebles on 10/22/04. [copies mailed to parties not served electronically](Imp) (Entered: 10/22/2004)
11/03/2004	<a href="#">69</a>	NOTICE of Appearance by Andrea S. Christensen on behalf of all plaintiffs (Christensen, Andrea) (Entered: 11/03/2004)
12/20/2004	<a href="#">70</a>	MOTION to Transfer Case <i>including Certificate of Service</i> Motion Hearing set for 2/2/2005 10:00 AM in Syracuse before Judge Norman A. Mordue. Response to Motion due by 1/18/2005 Reply to Response to Motion due by 1/24/2005. by International Labor Management Corporation, Inc.. (Attachments: # <a href="#">1</a> Brief of Defendants ILMC and NCGA in Support of Motion to Transfer, including Exhibit A (2) Affidavit of C. Stanford Eury in Support of Motion to Transfer, including Exhibit A and B# <a href="#">3</a> Affidavit of Christina Tucker in Support of Motion to Transfer, including Exhibit A and B)(Viswanathan, Subhash) (Entered: 12/20/2004)
12/20/2004	<a href="#">71</a>	MOTION to Transfer Case by Del-Al Associates, Inc.. (Attachments: # <a href="#">1</a> Memorandum of Law # <a href="#">2</a> Affidavit of Jorge Del Alamo# <a href="#">3</a> Certificate of Service# <a href="#">4</a> Letter to Clerk)(Fuller, Gary) (Entered: 12/20/2004)
12/20/2004		TEXT ONLY NOTICE of Hearing on Motion; Clerk advises parties that the <a href="#">70</a> MOTION to Transfer Case and <a href="#">71</a> MOTION to Transfer Case have been taken on submit for 2/2/05, parties need not appear for oral argument on that date; Response to Motion due by 1/18/2005, Reply to Response to Motion due by 1/24/2005. (kcl, ) (Entered: 12/20/2004)
01/10/2005	<a href="#">72</a>	STIPULATION re <a href="#">70</a> MOTION to Transfer Case <i>including Certificate of Service</i> , <a href="#">71</a> MOTION to Transfer Case by International Labor Management Corporation, Inc.. (Viswanathan, Subhash) (Entered: 01/10/2005)
01/10/2005	<a href="#">73</a>	ORDER approving <a href="#">72</a> Stipulation filed by International Labor Management Corporation, Inc., Setting Hearing on Motion <a href="#">70</a> MOTION to Transfer Case and <a href="#">71</a> MOTION to Transfer Case: Response to Motion due by 2/18/2005. Reply to Response to Motion due by 2/28/2005. Motion Hearing set for 3/2/2005 10:00 AM in Syracuse before Judge Norman A. Mordue. Signed by Judge Norman A. Mordue on 1/10/05. [copies mailed to parties not served electronically](Imp) (Entered: 01/11/2005)
01/18/2005	<a href="#">74</a>	Letter from W.R. Loftis, Jr., advising Atty. Piekarski no longer appears for Defts. North Carolina Growers Assn. & International Labor Management Corp. in this case. (Imp) (Entered: 01/18/2005)
02/04/2005		Minute Entry for proceedings held before Judge David E. Peebles : Status Conference held on 2/4/2005. Plaintiff's counsel states that it would be ineffective to transfer this case to another jurisdiction, since the parties are well into the discovery phase. Plaintiff's counsel also states that they prefer that the case stay in this district since it is more familiar w/ this case. Plaintiff does not have the proper documentation to enter the United States legally. Judge suggests to parties that maybe plaintiff's deposition can be taken by video and then supplemented in-person right before the trial. Parties cannot agree on a date, time and location for plaintiff's deposition. Judge sets up a briefing schedule. Defendant's letter brief is due by 2/18/05, plaintiff's letter brief id due 3/4/05

		(limit of 10 pages). Judge will thereafter issue an order. Next telephone conference is scheduled for 5/2/05 at 3:30 p.m.. Atty. Loftus is to initiate the call to Chambers. (sal, ) (Entered: 02/04/2005)
02/04/2005		TEXT NOTICE of Hearing: Status Telephone Conference set for 5/2/2005 at 3:30 PM before Magistrate Judge David E. Peebles. Counsel for the parties are instructed to confer with each other at least one (1) week prior to the date of the conference to confirm their availability, and Atty. Rnady Loftus is directed to make arrangements for initiating the call to counsel for all parties and the court which should be contacted at (315) 234-8620. (sal, ) (Entered: 02/04/2005)
02/14/2005	<a href="#">75</a>	Letter from Gary L. Fuller for Del-Al Associates, Inc. requesting Vacation <i>from Monday, March 14, 2005 to Friday, March 18, 2005</i> . (Fuller, Gary) (Entered: 02/14/2005)
02/17/2005	<a href="#">76</a>	LETTER BRIEF by Marcela Olvera-Morales. (Kaufman, Neil) (Entered: 02/17/2005)
02/18/2005	<a href="#">77</a>	MEMORANDUM OF LAW re <a href="#">71</a> Motion to Transfer Case filed by Marcela Olvera-Morales. (Attachments: # <a href="#">1</a> Appendix 1# <a href="#">2</a> Appendix 2# <a href="#">3</a> Appendix 3# <a href="#">4</a> Appendix 4# <a href="#">5</a> Appendix 5)(Kaufman, Neil) (Entered: 02/18/2005)
02/18/2005	<a href="#">78</a>	AFFIDAVIT in Opposition re <a href="#">71</a> MOTION to Transfer Case <i>DECLARATION OF DANIEL WERNER, ESQ.</i> filed by Marcela Olvera-Morales. (Kaufman, Neil) (Entered: 02/18/2005)
02/28/2005	<a href="#">79</a>	STIPULATION <i>extending time to serve and file reply papers</i> by International Labor Management Corporation, Inc.. (Viswanathan, Subhash) (Entered: 02/28/2005)
03/08/2005		TEXT ORDER Setting Hearing on Motion <a href="#">70</a> MOTION to Transfer Case <i>including Certificate of Service, 71</i> MOTION to Transfer Case: Reply to Response to Motion due by 3/28/2005. Motion Hearing set for 4/6/2005 before Judge Norman A. Mordue. The will be No Oral Argument. Papers will be taken on submission; therefore, no appearances are necessary. Endorsed by Judge Norman A. Mordue on 3/8/05. (jlm) (Entered: 03/08/2005)
03/18/2005	<a href="#">80</a>	MOTION for Limited Admission Pro Hac Vice of Subhash Viswanathan <i>on behalf of Robin Elizabeth Shea</i> by International Labor Management Corporation, Inc.. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> # <a href="#">4</a> # <a href="#">5</a> )(Viswanathan, Subhash) (Entered: 03/18/2005)
03/21/2005		Pro Hac Vice Filing fee for Robin Elizabeth Shea: \$ 30.00, receipt number SYR2202 (alh) (Entered: 03/21/2005)
03/22/2005	<a href="#">81</a>	ORDER granting <a href="#">80</a> Motion for Limited Admission Pro Hac Vice of Robin E. Shea for Defts. Signed by Judge David E. Peebles on 3/22/05. [copies mailed to parties not served electronically] (lmp) (Entered: 03/22/2005)
03/28/2005	<a href="#">82</a>	MEMORANDUM OF LAW re <a href="#">77</a> Memorandum of Law ( <i>REPLY</i> ) filed by International Labor Management Corporation, Inc.. (Attachments: # <a href="#">1</a> Affidavit) (Viswanathan, Subhash) (Entered: 03/28/2005)
03/28/2005	<a href="#">83</a>	MEMORANDUM OF LAW <i>Reply Brief</i> filed by Del-Al Associates, Inc..

		(Fuller, Gary) (Entered: 03/28/2005)
04/05/2005	<a href="#">84</a>	Letter from Neil S. Kaufman for Marcela Olvera-Morales requesting the Court grant Plaintiffs' permission to file a short sur-reply. (Kaufman, Neil) (Entered: 04/05/2005)
04/06/2005	<a href="#">85</a>	Letter from Robin E. Shea for International Labor Management Corporation, Inc. requesting Denial of Plaintiffs' Request to File Surreply. (Viswanathan, Subhash) (Entered: 04/06/2005)
04/11/2005		TEXT ORDER Denying the <a href="#">84</a> Letter Request to file a sur-reply filed by Neil S. Kaufman, Esq for Marcela Olvera-Morales. Endorsed by Law Clerk to Judge Norman A. Mordue on 4/11/05. (jlm/am) (Entered: 04/11/2005)
04/25/2005		Motions No Longer Referred to Judge Peebles: <a href="#">70</a> MOTION to Transfer Case <i>including Certificate of Service</i> , <a href="#">71</a> MOTION to Transfer Case. These motions were showing up on Judge Peebles CJRA report. (sal, ) (Entered: 04/25/2005)
04/26/2005	<a href="#">86</a>	<i>Viswanathan</i> Letter for International Labor Management Corporation, Inc. requesting Informing Judge Peebles of telephone number and conference call code for May 2 Status Conference. (Viswanathan, Subhash) (Entered: 04/26/2005)
04/29/2005		Due to a conflict in Judge Peebles' calendar the scheduled telephone conference in this matter for May 2, 2005 at 3:30 pm has been cancelled. The new date and time for the telephone conference is May 19, 2005 at 3:30 pm (Atty. Viswanathan is to initiate the call). (cam, ) (Entered: 04/29/2005)
05/11/2005	<a href="#">87</a>	Letter from Gary L. Fuller for Del-Al Associates, Inc. requesting Vacation <i>from Friday, June 3, 2005 through Monday, June 13, 2005 and Friday, July 1, 2005 through Monday, July 11, 2005</i> . (Fuller, Gary) (Entered: 05/11/2005)
05/13/2005	<a href="#">88</a>	Letter from Suba Viswanathan for International Labor Management Corporation, Inc. <i>notifying Judge Peebles of telephone number and conference call code for May 19 Status Conference</i> . (Viswanathan, Subhash) (Entered: 05/13/2005)
05/17/2005	<a href="#">89</a>	NOTICE of Appearance by Andrew D. Stillufsen on behalf of Marcela Olvera-Morales (Stillufsen, Andrew) (Entered: 05/17/2005)
05/20/2005		TEXT Minute Entry for proceedings held before Judge David E. Peebles : Status Conference held on 5/20/2005. Plaintiff has applied for a visa and parties are to determine whether or not she will be able to appear in the U.S. for deposition or if counsel may have to go to Mexico to complete it. Judge directs the parties to work this issue out and supply the court w/ a proposed notice, which will include the date(s) and location for plaintiff's deposition. Judge will then "so order" this notice. Counsel does not believe this deposition will take place until the end of August. Judge extends discovery deadline to 3/31/06 and motion filing deadline to 5/31/06. This is a FINAL extension of the deadlines, since this case has not progressed at all in the last 7 months. Plaintiff's counsel states he may be moving to amend the complaint to add plaintiff's. Judge reminds plaintiff's counsel of joinder and amendment ddls., which are 6/30/05. Next telephone conf. is scheduled for 9/21/05 at 3:00 pm. Plaintiff's counsel, Daniel Werner, Esq., is to initiate the call. APP: Daniel Werner, Andrew Stillufsen, Jennifer Kay Brown -



		attys. for Pltf., and Gary Fuller, W.R. Loftus - attys. for Defts.. (sal, ) Modified on 5/23/2005 (sal, ). (Entered: 05/20/2005)
05/20/2005		TEXT NOTICE of Hearing: Status Telephone Conference set for 9/21/2005 at 3:00 PM before Magistrate Judge David E. Peebles. Counsel for the parties are instructed to confer with each other at least one (1) week prior to the date of the conference to confirm their availability, and plaintiff's attorney, Daniel Werner, Esq., is directed to make arrangements for initiating the call to counsel for all parties and the court which should be contacted at (315) 234-8620.(sal, ) (Entered: 05/20/2005)
05/20/2005		TEXT SCHEDULING ORDER: Discovery deadline is extended until 3/31/2005. Motions to be filed deadline is extended until 5/31/2005. If no dispositive motions are filed, the Trial Ready Deadline is 8/1/2005. If a dispositive motion is filed, then the Trial Ready Deadline is 60 days after that motion has been decided. Endorsed by Judge David E. Peebles on 5/20/05. (sal, ) (Entered: 05/20/2005)
05/20/2005	<a href="#">90</a>	AFFIDAVIT of Service for Notice of Appearance of Andrew Davin Stillufsen <i>by First Class Mail</i> served on Constangy Brooks Law Firm - Winston Salem Office on May 17, 2005, filed by Marcela Olvera-Morales. (Stillufsen, Andrew) (Entered: 05/20/2005)
05/23/2005		CLERK'S CORRECTION OF DOCKET - Atty. Neil Kaufman removed from docket as atty. for Pltf. pursuant to 5/17/05 letter of Cassandra Porter, Esq., Kaye Scholer LLP. (Imp) (Entered: 05/23/2005)
05/23/2005		AMENDED TEXT SCHEDULING ORDER: Joinder and amendment deadlines remain the same, which are 6/30/05. Discovery deadline is 3/31/2006. Motions to be filed deadline is 5/31/2006. If no dispositive motion is filed, the Trial Ready Deadline is 8/1/2006. If a dispositive motion is filed, then the Trial Ready Deadline is 60 days after that motion has been decided. This is a FINAL extension of these deadlines. Endorsed by Judge David E. Peebles on 5/23/05. (sal, ) (Entered: 05/23/2005)
06/14/2005	<a href="#">91</a>	LETTER BRIEF <i>re: request for discovery conference</i> by Marcela Olvera-Morales. (Attachments: # <a href="#">1</a> Exhibit(s) A# <a href="#">2</a> Exhibit(s) B# <a href="#">3</a> Exhibit(s) C# <a href="#">4</a> Exhibit(s) D# <a href="#">5</a> Exhibit(s) E# <a href="#">6</a> Exhibit(s) F# <a href="#">7</a> Exhibit(s) G# <a href="#">8</a> Exhibit(s) H) (Stillufsen, Andrew) (Entered: 06/14/2005)
06/15/2005	<a href="#">92</a>	ORDER granting <a href="#">70</a> Motion to Transfer Case, and granting <a href="#">71</a> Motion to Transfer Case to Middle District of North Carolina. Signed by Judge Norman A. Mordue on 6/15/05.[copies mailed to parties not served electronically] (Imp) (Entered: 06/16/2005)
06/17/2005	<a href="#">93</a>	Letter from W.R. Loftis, Jr. for International Labor Management Corporation, Inc. requesting if Local Rule 71(d)(3) is now moot submitted to Judge David E. Peebles. (Viswanathan, Subhash) (Entered: 06/17/2005)
06/17/2005		Case transferred to District of Middle District of North Carolina. Certified copy of transfer order and docket sheet sent. MDNC to access documents electronically for transfer. (Imp) (Entered: 06/17/2005)

06/24/2005	<a href="#">94</a>	NOTICE by Marcela Olvera-Morales <i>Notice of Appearance of Andrew Keith Solow, Esq.</i> (Stillufsen, Andrew) (Entered: 06/24/2005)
06/24/2005	<a href="#">95</a>	MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, Motion Hearing set for 8/3/2005 10:00 AM in Syracuse before Judge Norman A. Mordue. Response to Motion due by 7/18/2005 Reply to Response to Motion due by 7/25/2005. by Marcela Olvera-Morales. (Attachments: # <a href="#">1</a> Declaration of Andrew K. Solow, Esq. in Support of Plaintiff's Motion for Reconsideration# <a href="#">2</a> Exhibit(s) A# <a href="#">3</a> Exhibit(s) B# <a href="#">4</a> Exhibit(s) C# <a href="#">5</a> Exhibit(s) D# <a href="#">6</a> Memorandum of Law in Support of Motion for Reconsideration of Order Granting Motion to Transfer Case to the Middle District of North Carolina)(Stillufsen, Andrew) (Entered: 06/24/2005)
06/24/2005	<a href="#">96</a>	CERTIFICATE OF SERVICE by Marcela Olvera-Morales re <a href="#">94</a> Notice (Other), <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, (Stillufsen, Andrew) (Entered: 06/24/2005)
06/27/2005		TEXT ONLY NOTICE BY CLERK; Parties are advised that the <a href="#">95</a> MOTION for Reconsideration of the <a href="#">92</a> Order on Motion to Transfer Case has been taken on submit for 8/3/05 before Judge Mordue; Parties need not appear for oral argument on that date (kcl, ) (Entered: 06/27/2005)
07/18/2005	<a href="#">97</a>	RESPONSE in Opposition re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, filed by International Labor Management Corporation, Inc.. (Attachments: # <a href="#">1</a> Affidavit of Jorge Del Alamo, Sr.)(Viswanathan, Subhash) (Entered: 07/18/2005)
07/25/2005	<a href="#">98</a>	REPLY to Response to Motion re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, <i>to the Middle District of North Carolina</i> filed by Marcela Olvera-Morales. (Solow, Andrew) (Entered: 07/25/2005)
07/25/2005	<a href="#">99</a>	AFFIDAVIT in Support re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, <i>DECLARATION OF ANDREW K. SOLOW, ESQ. IN FURTHER SUPPORT OF PLAINTIFF'S MOTION FOR RECONSIDERATION</i> filed by Marcela Olvera-Morales. (Attachments: # <a href="#">1</a> Exhibit(s) 1# <a href="#">2</a> Exhibit(s) 2# <a href="#">3</a> Exhibit(s) 3# <a href="#">4</a> Exhibit(s) 4# <a href="#">5</a> Exhibit(s) 5# <a href="#">6</a> Exhibit(s) 6# <a href="#">7</a> Exhibit(s) 7# <a href="#">8</a> Exhibit(s) 8# <a href="#">9</a> Exhibit(s) 9)(Solow, Andrew) (Entered: 07/25/2005)
07/25/2005	<a href="#">100</a>	CERTIFICATE OF SERVICE by Marcela Olvera-Morales re <a href="#">98</a> Reply to Response to Motion, <a href="#">99</a> Affidavit in Support of Motion, (Solow, Andrew) (Entered: 07/25/2005)
07/27/2005	<a href="#">101</a>	Letter from Robin E. Shea for International Labor Management Corporation, Inc. requesting Leave to file a Surreply in connection with Plaintiff's Motion to Reconsider submitted to Judge Norman A. Mordue. (Viswanathan, Subhash) (Entered: 07/27/2005)
08/01/2005		TEXT ORDER Granting the <a href="#">101</a> Letter Request filed by International Labor Management Corporation, Inc to file a Sur-Reply in connection with the plaintiff's motion to reconsider. Endorsed by Judge Norman A. Mordue on 8/1/05. (jlm/am) (Entered: 08/01/2005)
08/04/2005	<a href="#">102</a>	REPLY to Response to Motion re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order

		on Motion to Transfer Case,, <a href="#">70</a> MOTION to Transfer Case <i>including Certificate of Service</i> , <a href="#">71</a> MOTION to Transfer Case filed by International Labor Management Corporation, Inc.. (Viswanathan, Subhash) (Entered: 08/04/2005)
09/12/2005		NOTICE to counsel from CRD to Judge Peebles. On 6/15/05, this case was closed out and transferred to the Middle District of North Carolina. Thus, the telephone conference scheduled for 9/21/05 at 3:00 PM before Judge Peebles is CANCELED. If this case should survive the pending motion for reconsideration, another telephone conference will be scheduled before Judge Peebles. (sal, ) (Entered: 09/12/2005)
10/26/2005	<a href="#">103</a>	STATUS REPORT <i>on behalf of all Defendants</i> by International Labor Management Corporation, Inc.. (Viswanathan, Subhash) (Entered: 10/26/2005)
10/31/2005		Motions No Longer Referred: <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case. This motion was showing up on DEP's CJRA report. This motion is currently pending before NAM. (sal, ) (Entered: 10/31/2005)
11/17/2005	<a href="#">104</a>	MEMORANDUM-DECISION AND ORDER amending <a href="#">92</a> Order on Motion to Transfer Case to correct clerical error; as to <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case filed by Marcela Olvera-Morales, Pltf. has 30 days to file any further submissions and Defts. may file responses thereto within 14 days thereafter. Signed by Judge Norman A. Mordue on 11/17/05. (copies mailed to parties not served electronically and to Clerk, MDNC, per order)(lmp) (Entered: 11/17/2005)
12/19/2005	<a href="#">105</a>	MEMORANDUM OF LAW re <a href="#">104</a> Order, -- <i>Plaintiff's Supplemental Memorandum of Law In Opposition to Motion to Transfer Case to the Middle District of North Carolina</i> filed by Marcela Olvera-Morales. (Stillufsen, Andrew) (Entered: 12/19/2005)
12/19/2005	<a href="#">106</a>	AFFIDAVIT in Opposition re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, <i>and re <a href="#">104</a> Memorandum - Decision and Order, -- DECLARATION OF ANDREW DAVIN STILLUFSEN, ESQ. IN OPPOSITION TO MOTION TO TRANSFER</i> filed by Marcela Olvera-Morales. (Attachments: # <a href="#">1</a> Exhibit(s) A# <a href="#">2</a> Exhibit(s) B# <a href="#">3</a> Exhibit(s) C# <a href="#">4</a> Exhibit(s) D# <a href="#">5</a> Exhibit(s) E# <a href="#">6</a> Exhibit(s) F# <a href="#">7</a> Exhibit(s) G# <a href="#">8</a> Exhibit(s) H# <a href="#">9</a> Exhibit(s) I)(Stillufsen, Andrew) (Entered: 12/19/2005)
12/19/2005	<a href="#">107</a>	CERTIFICATE OF SERVICE by Marcela Olvera-Morales re <a href="#">105</a> Memorandum of Law, <a href="#">106</a> Affidavit in Opposition to Motion, (Stillufsen, Andrew) (Entered: 12/19/2005)
12/20/2005	<a href="#">108</a>	Letter Motion from Subhash Viswanthan on behalf of defendants International Labor Management Corporation, Inc., North Carolina Growers' Association, Inc., and Del-Al Associates, Inc. for International Labor Management Corporation, Inc. requesting Extension of time from January 3, 2006 to January 9, 2006 to file a response to plaintiffs' December 19, 2005 submission in opposition to defendants' motion to transfer case to Middle District of North Carolina submitted to Judge Norman A. Mordue. (Viswanathan, Subhash) (Entered: 12/20/2005)
12/20/2005	<a href="#">109</a>	ORDER granting <a href="#">108</a> Letter Request, <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a>

		Order on Motion to Transfer Case: Response to Motion due by 1/9/2006. Signed by Judge Norman A. Mordue on 12/20/05. [copies mailed to parties not served electronically] (Imp) (Entered: 12/21/2005)
01/09/2006	<a href="#">110</a>	RESPONSE to Motion re <a href="#">70</a> MOTION to Transfer Case <i>including Certificate of Service Del-AI's Response to Plaintiff's Supplemental Memorandum of Law in Opposition to Motion to Transfer Case to the Middle District of North Carolina</i> filed by Del-AI Associates, Inc.. (Attachments: # <a href="#">1</a> Exhibit(s) A)(Fuller, Gary) (Entered: 01/09/2006)
01/09/2006	<a href="#">111</a>	RESPONSE in Opposition re <a href="#">95</a> MOTION for Reconsideration re <a href="#">92</a> Order on Motion to Transfer Case, filed by International Labor Management Corporation, Inc.. (Attachments: # <a href="#">1</a> Affidavit of Robin elizabeth Shea, Esq. in support of motion to transfer and in opposition to plaintiff's motion to reconsider# <a href="#">2</a> Exhibit (s) A through C of Affidavit of Robin Elizabeth Shea in support of motion to transfer and in opposition to plaintiff's motion to reconsider)(Viswanathan, Subhash) (Entered: 01/09/2006)
04/10/2006	<a href="#">112</a>	MEMORANDUM-DECISION AND ORDER granting <a href="#">95</a> Motion for Reconsideration; Court reaffirms <a href="#">92</a> Order on Motion to Transfer Case transferring case to Middle District of North Carolina; Pltf's request that issue be certified for appeal is denied. Signed by Judge Norman A. Mordue on 4/10/06. (copies mailed to parties not served electronically) (Imp) (Entered: 04/10/2006)
07/02/2007		Paid 2007 Biennial Fee \$30, receipt number 800329. (Fuller, Gary) (Entered: 07/02/2007)

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