

CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:99-cv-10059-SHS-FM

E.E.O.C. v. Morelle Products
Assigned to: Judge Sidney H. Stein
Referred to: Magistrate Judge Frank Maas
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/1999
Date Terminated: 03/14/2000
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**Equal Employment Opportunity
Commission**

represented by **James L. Lee**
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V.

Defendant**Morelle Products, Ltd.**

represented by **Lori Diane Bauer**
Jackson, Lewis, Schnitzer & Krupman

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Date Filed	#	Docket Text
09/28/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (No Fees Due - U.S.A.). (em) (Entered: 09/29/1999)
09/28/1999		Magistrate Judge Maas is so Designated. (em) (Entered: 09/29/1999)
10/14/1999	2	INITIAL PRETRIAL CONFERNECE NOTICE/ORDER, set initial case management conference for 11:00 a.m. on 11/5/99 ; Plaintiff's attorney is directed to notify defendant's attorney of this conference . (signed by Judge Sidney H. Stein); Copies mailed. (dj) (Entered: 10/18/1999)
10/20/1999	3	Memo-Endorsement on letter addressed to Judge Stein from Elise M. Bloom, dated 10/18/99; reset case management conference for 11/12/99 at 11:00 a.m. (signed by Judge Sidney H. Stein); Copies mailed. (sac) (Entered: 10/21/1999)
11/17/1999	4	ORDER; that deft shall move to dismiss the complaint on or before 11/29/99, the opposition is due on or before 12/13/99, and the reply is due on or before 12/20/99; the next pretrial conference will be held on 12/3/99, at 10:00 a.m. (signed by Judge Sidney H. Stein); Copies mailed. (jp) (Entered: 11/18/1999)
12/01/1999	5	Memo-Endorsement on letter addressed to Judge Stein from Valerie Wilde/Michael Ranis, dated 11/29/99, Deadline for filing of deft's motion to dismiss by 1/13/00; Pretrial conference reset for 11:00 1/14/00 (signed by Judge Sidney H. Stein); Copies mailed. (cd) (Entered: 12/03/1999)
01/13/2000	6	Memo-Endorsement on letter addressed to Judge Stein from Lori D. Bauer and Michael B. Ranis, dated 1/11/00; deft's motion to dismiss due by 2/15/00 ; pre-trial conference adjourned to 2/18/00 at 10:00 a.m. (signed by Judge Sidney H. Stein); Copies mailed. (sac) (Entered: 01/13/2000)
02/15/2000	7	ANSWER to Complaint by Morelle Products (Attorney Lori Diane Bauer from the Firm: Jackson, Lewis, Schnitzler & Krupman). (pl) (Entered: 02/16/2000)
02/15/2000	8	RULE 1.9 CERTIFICATE filed by Morelle Products . (pl) (Entered: 02/16/2000)
02/24/2000	9	ORDER; that all discovery in this action will be completed on or before 6/16/00; there will be a pretrial conference on 3/17/00 at 10:00 a.m. (signed by Judge Sidney H. Stein); Copies mailed. (jp) (Entered: 02/24/2000)
03/14/2000	10	Order of dismissal; that this action (including any counterclaims and third-party claims) is dismissed with prejudice and without costs;

		provided, however, that any party may reinstate this action within 30 days hereof if the settlement is not fully effectuated. (signed by Judge Sidney H. Stein) (pl) (Entered: 03/14/2000)
03/14/2000		Case closed. (pl) (Entered: 03/14/2000)
04/07/2000	11	ORDER; the Order of dismissal dated 3/13/00, is extended to 5/14/00. (signed by Judge Sidney H. Stein); Copies mailed. (sac) (Entered: 04/10/2000)
04/12/2000	12	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Settlement; (signed by Judge Sidney H. Stein); Referred to Magistrate Judge Frank Maas. (pl) (Entered: 04/12/2000)
05/23/2000	13	Memo-Endorsement on letter addressed to Judge Stein from Michael B. Ranis, dated 5/17/00; the time within which any party may reinstate this action is extended until 6/20/00. (signed by Judge Sidney H. Stein); Copies mailed. (sac) (Entered: 05/23/2000)
05/30/2000		Settlement Conference held before Magistrate Judge Frank Maas . (jp) (Entered: 06/07/2000)
07/05/2000	14	JUDGMENT & CONSENT DECREE; this decree resolves all issues raised in EEOC Charge Nos. 160991455 and 160991732 and all issues that were raised or could have been raised in the EEOC's complaint in this case. Morelle Products, Ltd., its managers, officers, agents successors and assigns, will not discriminate against any individual because of individual's sex, engage in sexual harassment toward any employee, create a hostile environment for female employees, or engage in retaliation of any individual for asserting her or his rights under Title VII, as further set forth in this Judgment. Morelle and its agents further agree not to retaliate against any individual, who has participated in this matter as indicated herein. In settlement of this dispute, Morelle shall pay a total of \$120,000 as compensatory damages in this action as set forth in this Judgment. As the parties agree that the \$120,000 total payment represents damages for compensatory damages under Title VII, Morelle is not required to make any employer contributions, except that it must issue a 1099 for those payments specified in Ex. A stating the payments made to each claimant. By 7/30/00, Morelle shall distribute to all employees a copy of a remedial notice, printed on Morelle letterhead and signed by President Aby Saltiel and attached hereto as Exhibit B. Morelle shall provide an intensive training session with Mr. Aby Saltiel, Vice Pres. Alexander Frominos, and Human Resources Mgr. regarding sexual harassment, the creation of a hostile environment and retaliation to its employees, as further set forth herein. Morelle will submit the proposed curriculum to the EEOC and the EEOC will review it and give its input and approval prior to conducting the training. The first training session will be conducted by 8/30/00, and the second one by 1/30/01. The parties agree that Morelle will provide a copy of a certificate of course completion and attendance regarding the training sessions discussed in par. 10 herein that shall be provided to the EEOC by 9/30/00 for the first session, and 2/28/01 for the second one. Morelle will train its 2 Human

Resources Mgrs. on how to conduct investigations of complaints of sexual harassment by Morelle employees as set forth in this Judgment in conjunction and under the supervision of the ombudsperson, who is Katherine Asser, and is referred to in par. 14 herein. Morelle will submit a proposed curriculum and the EEOC will review it and give its input and approval prior to conducting the training. The training by Ms. Asser is to be completed by 7/30/00. Morelle will conduct a meeting separately with all of its employees and supervisors, at which time it will provide the same comprehensive sexual and anti-harassment training sessions outlined in Morelle's letter of 7/29/00 to the EEOC with only differences specified herein. It will also distribute the Sexual Harrassment Policy referred to in that letter and discuss it with its managers and employees. Employees and managers will be instructed to report any inappropriate conduct and sexual harassment to the ombudsperson referred to in par. 14 herein, rather than being required to report it to a human resources representative. Deft shall consult with the EEOC about who will conduct such training before it is given. Morelle will conduct this meeting by 9/30/00, and again on a 2nd occasion by 4/30/01. Deft will retain an outside, non-employee of Morelle as a consultant or ombudsperson regarding any complaints of sexual harassment or inquiries regarding such conduct by employees, as further set forth herein. The parties have agreed that the ombudsperson will be Ms. Katherine Asser. The ombudsperson shall be in place and his or her identity communicated to all employees by 7/30/00. The EEOC has the right to monitor and review compliance with this Consent Decree. Accordingly, by 10/30/00, Morelle shall submit written proof via affidavit to the EEOC that it has complied with the above requirements set forth in par. 12-14 herein. By 5/30/01, Morelle will again submit written proof that it has complied with the 2nd training specified in par. 13 herein. The EEOC and Morelle agree to bear their own attorneys' fees and costs in connection with this case. This Decree will remain in effect until 6/30/02. (signed by Judge Sidney H. Stein) Entered On Docket: 7/6/00. (sn) (Entered: 07/06/2000)

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