CLOSED, CONSOLIDATED

U.S. District Court Eastern District of New York (Brooklyn) CIVIL DOCKET FOR CASE #: 1:98-cv-04142-CLP

Equal Employment Opp v. Trans World Airlines Assigned to: Magistrate-Judge Cheryl L. Pollak

Demand: \$0

Plaintiff

Commission

Member case: (View Member Case)

Equal Employment Opportunity

Cause: 28:451 Employment Discrimination

represented by Andree Peart

Equal Employment Opportunity

Commission

New York District Office

Date Filed: 06/10/1998

Jury Demand: Plaintiff

Date Terminated: 07/16/2002

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

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TERMINATED: 04/20/1999

LEAD ATTORNEY

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Intervenor Plaintiff

Veronica Saunders

TERMINATED: 04/12/2001

represented by Robert D. Lipman

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TERMINATED: 04/12/2001 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Joanne Geskie

TERMINATED: 04/12/2001

represented by Robert D. Lipman

(See above for address)

TERMINATED: 04/12/2001

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Susan Congema

TERMINATED: 04/12/2001

represented by Robert D. Lipman

(See above for address)

TERMINATED: 04/12/2001

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Berdette Thompson

TERMINATED: 04/12/2001

represented by Robert D. Lipman

(See above for address)

TERMINATED: 04/12/2001

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Trans World Airlines, Inc

represented by Aaron Jack Schindel

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Charlotte Louise Behrendt

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Intervenor Defendant

Ino Sylman

TERMINATED: 04/12/2001

represented by Stephen Eric Tisman

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Intervenor Defendant

George Cintron

TERMINATED: 04/12/2001

represented by Jean L. Schmidt

Roberts & Finger, L.L.P. 767 Third Avenue New York, NY 10017 (212) 308-1900 TERMINATED: 04/12/2001 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Intervenor Defendant

Garfield Harris

TERMINATED: 04/12/2001

represented by Lawrence R. Sandak

Sonnenschein Nath & Rosenthal 1221 Avenue of the Americas New York, NY 10020-1089 (212) 768-6912 TERMINATED: 04/12/2001 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Intervenor Defendant

Trans World Airlines

TERMINATED: 04/12/2001

Date Filed #		Docket Text			
06/10/1998	1	COMPLAINT filed and summons(es) issued for Trans World Airlines (Chin, Felix) (Entered: 06/11/1998)			
08/17/1998	2	STIPULATION dated 8/13/98 resetting answer due for 8/31/98 for Trans Worl Airlines . (signed by Judge David G. Trager) (Guzzi, Roseann) (Entered: 08/17/1998)			
09/02/1998	3	ANSWER to Complaint by Trans World Airlines. (Mackey, Donna) (Entered: 09/03/1998)			
09/02/1998	4	, , , , , , , , , , , , , , , , , , ,			
10/14/1998	5	ORDER dated 10/6/98 that an initial conference has been scheduled for 10/20/98 at 3PM before Magistrate Pollak. CM (signed by Magistrate Cheryl L. Pollak). (Greves, Liz) (Entered: 10/14/1998)			
10/20/1998	7	Calendar entry:Before Magistrate Pollak on 10/20/1998. Conference adjourne 12/10/1998 @ 12:00. (Mackey, Donna) (Entered: 10/27/1998)			
10/22/1998	6	ENDORSED ORDER, adjourning the initial conference until 12/10/1998 and for the related case, 98 civil 4138, as well. c/faxed on 10/19/1998 clp. (Signed by Magistrate Cheryl L. Pollak, dtd. 10/19/1998.) **See faxed ltr. from CHARLOTTE L. BEHRENDT to Magistrate Pollak for the order.** (Mackey, Donna) (Entered: 10/22/1998)			
11/08/1998	10	ANSWER by Trans World Airlines to amended complaint. (Asreen, Wendy) (Entered: 11/20/1998)			
Susan Congema may intervene as plaintiffs. The EEOC may a above-captioned complaint against TWA. Defenants TWA, In Cintron and Garfiled Harris("defendants") will have until 12/4 move or otherwise repsond to the complaint-in-intervention, can Veronica Saunders, Joanne Geskie and Susan Congema v. Trn inc. Ino Sylman, George Cintron and Garfiled Harris, CV-98-4 will hold a Rule 26(f) conference and attempt in good faith to discovery plan by 12/9/98, which shall be submitted to the Conference		STIPULATION dated 11/10/98 that Veronica Saunders, Joanne Geskie, and Susan Congema may intervene as plaintiffs . The EEOC may amend the above-captioned complaint against TWA. Defenants TWA, Ino Sylman, George Cintron and Garfiled Harris("defendants") will have until 12/4/98, to answer, move or otherwise repsond to the complaint-in-intervention, captioned EEOC, Veronica Saunders, Joanne Geskie and Susan Congema v. Trnas World Airlines, inc. Ino Sylman, George Cintron and Garfiled Harris, CV-98-4138. The parties will hold a Rule 26(f) conference and attempt in good faith to complete a discovery plan by 12/9/98, which shall be submitted to the Court on 12/10/98. (Signed by Judge David G. Trager) (Guzzi, Roseann) (Entered: 11/16/1998)			
11/18/1998	9	9 AMENDED COMPLAINT by Equal Employment Opp, amending original [1-complaint. (Asreen, Wendy) (Entered: 11/20/1998)			
12/10/1998	11	1 AMENDED COMPLAINT by Veronica Saunders, Joanne Geskie, Susan Congema, amending [9-1] amended complaint against Trans World Airlines, Inc. (Guzzi, Roseann) (Entered: 12/11/1998)			

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12/10/1998	12	Calendar entry: before Magistrate Pollak on 12/10/98 initial conference held. Discovery schedule entered. Defendants to respond to plaintiffs' interrogatories by 1/11/98. All parties to serve interrogatories and document requests by 12/31/; responses due 1/29/98. Conference scheduled for 2/2/98 at 2:30. (Guzzi, Roseann) (Entered: 12/15/1998)	
12/16/1998	13	STIPULATION and ORDER dated 12/10/98 that plaintiff-intervenors' complaint-In-Intervention will be amended to add the additional allegations included in the case currently captioned Joanne Geskie v. Trans World Airlines, Inc. and Ino Sylman, filed in the Supreme Court of the State of New York. Counsel for defendants TWA and Sylman consent to being served the Amended complaint-In-Intervention by facsimile and regular mail. Counsel for defendant TWA and Sylman agree that the amended complaint does not have to be served on the NYC Commission on Human Rights and the NYC Law Department. Upo withdrawal of the state complaint, defendants TWA and Sylman will waive any statute of limitaiton defense or improper service defense to claims contained in the state complaint which may be assertable solely by virtue of Geskie's voluntary withdrawl of the state complaint adding such claims in the amended complaint-In-Intervention, but do not waive any other defense. All parties hereb reserve their respective rights to seek severance of claims and/or parties prior to trial. The State complaint is being moved into the federal court action for the convenience of all parties and Geskie, TWA and Sylamn will in no way be prejudiced thereby. (Signed by Magistrate Cheryl L. Pollak) C/M (Guzzi, Roseann) (Entered: 12/16/1998)	
12/16/1998	14	Discovery Plan dated 12/10/98 that the parties will have until 11/15/99 to complete all fact discovery. No depositions may be noticed for any time prior to 2/8/99. The parties will have until 12/1/99 to designated expert witnesses, other than rebuttal experts, and to produce expert reports. The parties will have until 1/3/2000 to take the depositions of the expert witnesses, other than rebuttal experts. The parties will have until 1/17/2000 to designate rebuttal experts and to produce rebuttal expert reports. The parties will have until 2/18/2000 to take the depositions of rebuttal experts. The parties will have sixty day after the conclusion of discovery, including expert discovery, to file any dispositive motions. (Signed Magistrate Cheryl L. Pollak) C/M (Guzzi, Roseann) (Entered: 12/16/1998)	
12/17/1998	15	ANSWER to Complaint by Ino Sylman (Johnson, Tanya) (Entered: 12/18/1998)	
12/17/1998	16	ANSWER by George Cintron to amended complaint (Johnson, Tanya) (Entered: 12/18/1998)	
12/18/1998	17	ANSWER by Trans World Airlines to amended complaint-In-Intervention. (Guzzi, Roseann) (Entered: 12/21/1998)	
01/08/1999	18	AMENDED ANSWER to Amended Complaint by Trans World Airlines. (Greves, Liz) (Entered: 01/13/1999)	
02/03/1999	19	ORDER dated 1/28/99 that request for extension of time to respond to discovery requests granted until 2/5/99. Conference rescheduled to 2/18/99 at 9AM. (signed by Magistrate Cheryl L. Pollak on copy of letter dated 1/28/99 from Elizabeth Grossman). (Greves, Liz) (Entered: 02/03/1999)	

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02/03/1999	20	STIPULATION and ORDER regarding confidential information dated 1/29/99. Signed by Magistrate Cheryl L. Pollak) (Guzzi, Roseann) (Entered: 02/03/1999)			
02/18/1999	21	Calendar entry: before Magistrate Pollak on 2/18/99 status conference held. EEOC to submit resonse to TWA's letter request for pre-motion conference by end of week 2/26/99. TWA to provide list of employees and last known addresses for employees in Tower 1988-1997; TWA to confer with plaintiff re 8th plaintiffs employment on ramp; TWA to produce list of employees in these areas. TWA to produce 5 charges internal complaints; disciplinary notices from Tower and employees and from 5 complaints. Plaintiffs to produce job information as to post-TWA employment and/or application for employment where relevant; complaints to follow to be addressed at deposition. (Guzzi, Roseann) (Entered: 02/19/1999)			
03/03/1999	22	LETTER dated 2/12/99 from Allen I. Fagin to Judge Trager on behalf of defendant Trans World Airlines, Inc. seeking a pre-motion conference in connection with a motion to dismiss the EEOC's "pattern and practice" claim against TWA. (Guzzi, Roseann) (Entered: 03/03/1999)			
03/03/1999	23	FAXED LETTER dated 2/26/99 from Elizabeth Grossman to Judge Trager that EEOC opposes the motion proposed by defendant. (Guzzi, Roseann) (Entered: 03/03/1999)			
04/12/1999	25	OTICE of attorney appearance for Equal Employment Opportunity by Andredeart. (Guzzi, Roseann) (Entered: 04/20/1999)			
04/15/1999	24	Calendar entry: Before Magistrate Pollak on 4/15/1999. Case called for a status conference. Issues regarding letter motion resolved. 1) Medical and psychiatric records deferred until after depos. 2)Re:Complaints- Pltffs. are to identify as best they can the identity of the person alleged to be the harasser and the type or nature of harassment complained, as well as approximate date. 3) Pltff. to respond by 4/28/1999 on deliberative privilege issue; reply 5/5/1999. Parties to agree on briefing schedule for motion to dismiss. Next conference set for 6/9/1999 @ 2:30. (Mackey, Donna) Modified on 04/16/1999 (Entered: 04/16/1999)			
04/16/1999		Copy of LETTER dated 4/13/1999 from ALLEN FAGIN to ELIZABETH GROSSMAN enclosing copies of Dft. TWA's motion to dismiss and/or for summary judgment and supporting documents. [No attachments were received with this letter.] (This is document #8 in 98-cv-4138.) (Mackey, Donna) (Entered: 04/16/1999)			
05/07/1999		Consolidated Lead Case. (Guzzi, Roseann) (Entered: 05/07/1999)			
05/07/1999	26	ORDER, dated 4/15/99 consolidating cases with 98cv4138. (signed by Magistrate-Judge Cheryl L. Pollak) (Guzzi, Roseann) (Entered: 05/07/1999)			
05/13/1999	27	Calendar entry: before Magistrate Pollak on 5/13/99 conference held. Defendant to run job code search for start and end dates of each position and provide names only at this point. (Guzzi, Roseann) (Entered: 05/18/1999)			
06/09/1999	29	<u> </u>			

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		09/15/1999)		
09/15/1999		Endorsed order on document #38 dated 9/10/99 granting request. Conference adjourned to 10/27/99 at 5:00. (Signed by Magistrate-Judge Cheryl L. Pollak, 9/10/99) faxed 9/10/99, (Guzzi, Roseann) (Entered: 09/15/1999)		
11/02/1999	39	LETTER dated 10/26/99 from Robert D. Lipman to Magistrate Pollak requestion that the 10/27/99 conference be adjourned until 12/2/99. (Guzzi, Roseann) (Entered: 11/02/1999)		
11/02/1999		Endorsed order dated 10/26/99 on document #39 that the request to adjourn the confernce is granted and adjourned to 12/2/99 at 12:30. (Signed by Magistrate Cheryl L. Pollak, on 10/26/99) *faxed on 10/26/99 (Guzzi, Roseann) (Entered 11/02/1999)		
12/02/1999	40	Calendar entry: before Magistrate Pollak on 12/2/99 status conference held. Parties engaged in settlement negotiations and exchanging draft papers. Conference 1/21/99 at 11:00 to determine if case will settle or not. (Guzzi, Roseann) (Entered: 12/16/1999)		
01/21/2000	41			
01/21/2000		Endorsed order on document #41 that the request is granted. Conference is adjourned to 3/31/00 at 9:00. (Signed by Magistrate Cheryl L. Pollak, on 1/14/00) faxed on 1/14/00. (Guzzi, Roseann) (Entered: 01/21/2000)		
04/05/2000	42	LETTER dated 3/30/00 from Charlotte L. Behrendt to Magistrate Pollak requesting that the 3/31/00 conference be rescheduled. (Guzzi, Roseann) (Entered: 04/05/2000)		
04/05/2000		Endorsed order dated 3/30/00 on document #42 that the request to adjourn conference is granted. Conference reste for 4/11/00 at 3:30. (Signed by Magistrate Cheryl L. Pollak, on 3/30/00) c/faxed (Guzzi, Roseann) (Entered: 04/05/2000)		
04/10/2000	43	LETTER dated 4/4/00 from Charlotte L. Behrendt to Magistrate Pollak on behal of all parties to request the 4/11/00 conference be rescheduled for 5/9/00 at 9:00 (Guzzi, Roseann) (Entered: 04/10/2000)		
04/10/2000		Endorsed order dated 4/5/00 on document #43 that the conference is adjourned 5/9/00 at 9:00. (Signed by Magistrate Cheryl L. Pollak, on 4/5/00) faxed 4/5/00 (Guzzi, Roseann) (Entered: 04/10/2000)		
05/10/2000	44	LETTER dated 5/8/00 from Andree M. Peart to Magistrate Pollak on behalf of EEOC and TWA to request an adjournment of the parties' final settlement conference scheduled for 5/9/00. (Guzzi, Roseann) (Entered: 05/10/2000)		
05/10/2000		Endorsed order dated 5/8/00 on document #44 that the conference is adjourned to 5/23/00 at 9:00. (Signed by Magistrate Cheryl L. Pollak, on 5/8/00) faxed. (Guzzi, Roseann) (Entered: 05/10/2000)		
05/23/2000	45	5 Calendar entry: Settlement conference held before Magistrate Pollak on 5/23/00; settlement negotiations continue; conference set for 6/16/00 at 2:00. (Asreen, Wendy) (Entered: 05/30/2000)		

04/12/2001	58	This order is vacated at the request of Mag. Judge Pollak: STIPULATION of dismissal dated 4/3/01 that all claims of the PLAINTIFF-INTERVENORS as well as all claims asserted in Suanders et al. V. TWA 98cv4138 (DGT) be dismissed with prejudice and without costs or attorney's fees to any party. (Signed by Judge Nicholas G. Garaufis, dated: 4/3/01) (Guzzi, Roseann) Modified on 05/22/2001 (Entered: 04/12/2001)			
04/12/2001	59	LETTER dated 4/4/01 from Elizabeth Grossman to Magistrate Pollak requesting the 4/5/01 status conference be adjourned. (Guzzi, Roseann) (Entered: 04/12/2001)			
04/12/2001		Endorsed order on document #59 in 98cv4142 granting request to adjourn conference. (Signed by Magistrate Cheryl L. Pollak, on 4/4/01) faxed 4/4/01 (Guzzi, Roseann) (Entered: 04/12/2001)			
04/17/2001	60				
04/17/2001		CASE NO LONGER REFERRED TO Magistrate Cheryl L. Pollak. (Guzzi, Roseann) (Entered: 04/17/2001)			
04/17/2001		CASE reassigned from Judge Garaufis to Magistrate Cheryl L. Pollak. (Guzzi, Roseann) (Entered: 04/17/2001)			
04/18/2001	61	Calendar entry: before Magistrate Pollak on 4/18/01. Parties to revise agreemen and resubmit. (Guzzi, Roseann) (Entered: 04/24/2001)			
05/24/2001	63	ORDER that at the conclusion of the fairness hearing, the Court will issue an Order dismissing the case with prejudice. (see doc#63 for full settlement agreement) Stipulation and order attached as exhibit fthat all claims of the plaintiff-Intervenors and Saunders vs TWA in 98-cv-4138 be dismissed with prejudice and without costs or attorney's fees to any party. copies faxed. (signed by Magistrate Cheryl L. Pollak, on 5/21/01) (Henry, Teresa) (Entered: 05/24/2001)			
09/19/2001	64	LETTER dated 9/14/01 from Allen Fagin to Mag. Pollakrequesting approximatedly 4 months to submit their list of distributeees from the settlement fund. (Yuen, Sui May) (Entered: 09/19/2001)			
09/19/2001		Endorsed order on doc. #64 "Request granted. So Ordered." (Signed by Magistrate Cheryl L. Pollak, on 9/14/01) (Yuen, Sui May) (Entered: 09/19/2001)			
12/03/2001	65	ORDER Modifying Settlement Agreement as a Result of the Destruction of EEOC's Offices on September 11, 2001, with Exhibits A & B attached. EEOC is to mail Exhibit A & B to all potential Claimants by 12/21/01; EEOC is to require Exhibit B to be returned to the EECO with a postmark date of no later than 2/4/02; EEOC is to provide its assessment of claims to the Settlement Administrator, David Ross, Esq. by 4/5/02; Fairness Hearing will be conducted by this Court on 6/26/02 @ 12:00 p.m. (Signed by M.J. Pollak, on 11/29/01) (fe) (Entered: 12/03/2001)			
12/03/2001	66	LETTER dated 11/28/01 from Kam Wong, Counsel for Pltff. to M.J. Pollak requesting 20 additional business days from the date of the Order be added to the parties' previously proposed deadlines. (fe) (Entered: 12/03/2001)			

07/10/2002	67	ORDER that Claimants and Class Members are to receive awards in the amount set forth in the attached "Disbursement of Claim Fund" and the Escrow Agent is to make disbursements from the Claim Fund in the amounts set forth in the attached Disbursement of Claim Fund. (w/attachment). (signed by Magistrate Cheryl L. Pollak, on 7/8/02) (Black, Amanda) (Entered: 07/10/2002)		
07/10/2002	68	ORDER that the Court hereby approves the settlement and the EEOC's proposed distribution of the settlement. (signed by Magistrate Cheryl L. Pollak, on 7/8/02 (Black, Amanda) (Entered: 07/10/2002)		
07/10/2002	69	STIPULATION and ORDER of dismissal with prejudice (signed by Magistrate Cheryl L. Pollak, on 7/8/02) (Black, Amanda) (Entered: 07/12/2002)		
07/16/2002		Case closed. (Vaughn, Terry) (Entered: 07/16/2002)		
07/30/2002	70	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31/2002)		
07/30/2002	71	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31/2002)		
07/30/2002	72	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31/2002)		
07/30/2002	73	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31/2		
07/30/2002	74	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31		
07/30/2002	75	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 07/31/2		
07/30/2002	77	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 08/08/2002)		
07/30/2002	78	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 08/08		
07/30/2002	79	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 08/08/		
07/30/2002	80	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 08/08/		
07/30/2002	81	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 08/08/2		
07/30/2002	82	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 08/08/2002)		
07/31/2002	76	SEALED DOCUMENT placed in vault (Black, Amanda) (Entered: 07/31/2002)		
08/20/2002	83	TRANSCRIPT of hearing before MJ Pollak filed for date of June 26, 2002. Court Reporter: Ronald E. Tolkin, RMR. (Delions, Aaron) Modified on 08/20/2002 (Entered: 08/20/2002)		
01/08/2003	84	SEALED DOCUMENT placed in vault. (Black, Amanda) (Entered: 01/08/20		
issued by this Court on 7/8/02. It is hereby ordered that: 1) Claimants Members are to receive awards in the amount set forth in the "Disbur Claim Fund" which is to be filed with the Court under seal, and 2) the Agent is to make disburements from the Claim Fund in the amounts set the Disbursement of Claim Fund, and 3) with respect to those individesignated by the EEOC as receiving, in whole or in part, backpay award amount of applicable taxes (including, but not limited to the empthe employer's share of FICA, SUI, and FUTA) shall be withheld from backpay award by the Escrow Agent. (signed by Magistrate Cheryl L.)		AMENDED ORDER: This Amended Order amends and replaces the Order issued by this Court on 7/8/02. It is hereby ordered that: 1) Claimants and Class Members are to receive awards in the amount set forth in the "Disbursement of Claim Fund" which is to be filed with the Court under seal, and 2) the Escrow Agent is to make disburements from the Claim Fund in the amounts set forth in the Disbursement of Claim Fund, and 3) with respect to those individuals designated by the EEOC as receiving, in whole or in part, backpay awards, the total amount of applicable taxes (including, but not limited to the employee's and the employer's share of FICA, SUI, and FUTA) shall be withheld from the backpay award by the Escrow Agent. (signed by Magistrate Cheryl L. Pollak, on 7/22/02) (Black, Amanda) (Entered: 01/08/2003)		

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01/08/2003	86	LETTER dated 7/17/03 from Allen I. Fagin to Magistrate Pollak requesting to amend or supplement the Court's Order of 7/8/02. (Black, Amanda) (Entered: 01/15/2003)	
01/14/2004	87	SETTLEMENT AGREEMENT by Equal Employment Opportunity Commission and Trans World Airlines, Inc. (Black, Amanda) (Entered: 01/26/2004)	

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