

CLOSED

**U.S. District Court**  
**Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.0.3] (Albany)**  
**CIVIL DOCKET FOR CASE #: 1:00-cv-01472-DNH-RFT**

Equal Employment Com v. Averill Park Central  
Assigned to: Judge David N. Hurd  
Referred to: Magistrate Judge Randolph F. Treece  
Demand: \$0  
Cause: 29:621 Job Discrimination (Age)

Date Filed: 09/28/2000  
Date Terminated: 12/03/2001  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Com**

represented by **Katherine E. Bissell**  
Equal Employment Opportunity  
Commission - NY  
33 Whitehall Street  
5th Floor  
New York, NY 10004  
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Fax: 212-336-3623  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Markus L. Penzel**  
Equal Employment Opportunity  
Commission  
Boston Area Office  
John F. Kennedy Federal Building  
Government Center, 4th Floor, Room 475  
Boston, MA 02203  
617-565-3200  
Fax: FAX 617-565-3196  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Averill Park Central School District**

represented by **Robert T. Schofield**  
Whiteman, Osterman Law Firm - Albany  
Office  
One Commerce Plaza  
Suite 1900  
Albany, NY 12260  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/2000	1	COMPLAINT filed; ; Service deadline 11/27/00 for Averill Park Central (wbl) (Entered: 09/29/2000)
09/28/2000		SUMMONS(ES) issued for Averill Park Central (wbl) (Entered: 09/29/2000)
09/28/2000		Filing Order Issued; Conference set before Magistrate Judge Ralph W. Smith in Albany, Status Conference at 11:30 1/17/01 , Deadline for filing Case Management Plan, 1/2/01 (wbl) (Entered: 09/29/2000)
10/16/2000	2	WAIVER OF SERVICE Returned Executed as to Averill Park Central 10/3/00 Answer due on 12/2/00 for Averill Park Central (jel) (Entered: 10/16/2000)
10/26/2000	3	MOTION by Equal Employment Com for Markus L. Penzel to Appear Pro Hac Vice Motion returnable before Judge/Mag. Judge: Smith (wbl) (Entered: 10/26/2000)
10/27/2000	4	ORDER granting [3-1] motion for Markus L. Penzel to Appear Pro Hac Vice ( signed by Magistrate Judge Ralph W. Smith Jr. ) (wbl) (Entered: 10/27/2000)
11/20/2000	5	Court Scheduling Notice dated 11/20/00 stating the civil case management plan must be received in Chambers no later that (5) five business days prior to the scheduled date of the conference. (jel) (Entered: 11/21/2000)
12/01/2000	6	ANSWER to Complaint by Averill Park Central (Attorney Robert T. Schofield), (jel) (Entered: 12/01/2000)
01/05/2001	7	Proposed Joint Civil Case Management Plan Submitted. (jel) (Entered: 01/05/2001)
01/17/2001	8	Minute entry: Court Reporter/ECRO: none; rule 16 conf held; dates set except for trial date; order to be mailed to counsel. (rzh) (Entered: 01/17/2001)
01/17/2001	9	Uniform Pretrial Order; Length of Trial: 4 days; Trial Location: (prefer) Albany; Joining of Parties Deadline 4/2/01 ; Amending of Pleadings Deadline 7/2/01 ; Discovery Deadline 10/1/01 ; Motion Filing Deadline 1/2/02 ; Trial ready deadline 1/2/02 ( Signed by: Magistrate Judge Ralph W. Smith Jr. ) (rzh) (Entered: 01/17/2001)
01/17/2001	10	ORDER, that within thirty (30) days fo the date of this Order, the parties in the above captioned case shall comply with the initial disclosure provisions of FRCP 26(a)(1), as amended, effective December 1, 2000 (signed by Magistrate Judge Ralph W. Smith Jr. on 1/17/01) (jel) (Entered: 01/18/2001)
05/22/2001	11	STATUS REPORT LETTER. Status report due on 6/6/01 ( signed by Magistrate Judge Ralph W. Smith Jr. ) (wjg) (Entered: 05/23/2001)

05/31/2001	12	STATUS REPORT LETTER dated 5/29/01 by Markus L. Penzel for Equal Employment Com (fce) (Entered: 06/01/2001)
08/14/2001	<a href="#">13</a>	ORDER, setting Settlement Conference for 11:00 a.m. on 10/11/01 before Judge David R. Homer in Albany (signed by Magistrate Judge David R. Homer on 8/14/01) Date Entered: 8/14/01 (jel) (Entered: 08/14/2001)
09/12/2001	<a href="#">14</a>	LETTER REQUEST dated 9/10/01 by Markus L. Penzel, Esq., and ORDER, to extend the discovery, motion filing and trial ready deadlines , resetting Discovery deadline to 11/2/01 , resetting Motion Filing deadline to 2/4/02 , resetting trial ready deadline for 2/4/02 (signed by Magistrate Judge David R. Homer on 9/12/01) (jel) (Entered: 09/13/2001)
09/25/2001	15	ORDER: case reassigned to Mag. Judge Treece due to Judge Smith's retirement; (Signed by Chief Judge F. J. Scullin Jr.) (fce) (Entered: 09/25/2001)
09/25/2001		CASE NO LONGER REFERRED TO Magistrate Judge Ralph W. Smith Jr. (fce) (Entered: 09/25/2001)
09/25/2001		CASE REFERRED to Magistrate Judge Randolph F. Treece (fce) (Entered: 09/25/2001)
10/01/2001	<a href="#">16</a>	LETTER REQUEST by Beth Bourassa dd 9/28/01 and ORDER, allowing a rep of the District's insurance carrier be permitted to participate in the 10/11/01 cnf via telephone ( signed by Magistrate Judge David R. Homer ) (wjg) (Entered: 10/03/2001)
10/11/2001		Settlement conference held before Judge David R. Homer (jel) (Entered: 10/15/2001)
10/12/2001	<a href="#">17</a>	Minute entry: Settlement Conference held before Judge David R. Homer; Appearances made: Mark Penzel, Esq., for the plaintiff and Beth Bourassa, Esq., for the defendant; Parties reach settlement; Consent Decree and stip of discontinuance to be forward to Judge Hurd. (jel) (Entered: 10/15/2001)
12/03/2001	18	Motion to Approve Conccent Decree (fce) (Entered: 12/03/2001)
12/03/2001	<a href="#">19</a>	Consent Decree signed by Judge David N. Hurd 12/3/01. (fce) (Entered: 12/03/2001)
12/03/2001		Case closed (fce) (Entered: 12/03/2001)

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