

CLOSED

**U.S. District Court  
Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.1.2] (Albany)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01091-WKS-RFT**

Equal Employment Opportunity Commission v. White House  
Home for Adults  
Assigned to: Chief Judge William K. Sessions, III  
Referred to: Magistrate Judge Randolph F. Treece  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/20/2004  
Date Terminated: 09/27/2007  
Jury Demand: None  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Elizabeth Grossman**  
Equal Employment Opportunity  
Commission - NY  
33 Whitehall Street  
5th Floor  
New York, NY 10004  
212-336-3696  
Fax: 212-336-3623  
Email: [elizabeth.grossman@eeoc.gov](mailto:elizabeth.grossman@eeoc.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Intervenor Plaintiff**

**Chase, Theresa**

represented by **Lisa F. Joslin**  
Gleason, Dunn Law Firm  
40 Beaver Street  
Albany, NY 12207  
518-432-7551  
Fax: 518-432-5221  
Email: [lj Joslin@gdwo.net](mailto:lj Joslin@gdwo.net)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**White House Home for Adults**

represented by **Meredith H. Savitt**  
Office of Meredith H. Savitt  
126 State Street, 6th Floor  
Albany, NY 12207  
518-426-3190

Fax: 518-426-3191  
 Email: savittlaw@verizon.net  
**ATTORNEY TO BE NOTICED**

**Defendant****Ronald Hertz**

represented by **Meredith H. Savitt**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/20/2004	<a href="#"><u>1</u></a>	COMPLAINT with Jury Trial Demand against White House Home for Adults , filed by Equal Employment Opportunity Commission.(ban) (Entered: 09/21/2004)
09/20/2004		Summons Issued as to White House Home for Adults. (ban) (Entered: 09/21/2004)
09/20/2004		Remark: Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were also included with this filing. They were stamped with the file number and returned to plaintiff's attorney with summons, GO 25, and complaint. (ban) (Entered: 09/21/2004)
09/20/2004	<a href="#"><u>2</u></a>	G.O. 25 FILING ORDER ISSUED Initial Conference set for 1/19/2005 10:00 AM in Albany before Magistrate Judge Randolph F. Treece. Civil Case Management Plan due by 1/10/2005. (ban) (Entered: 09/21/2004)
10/18/2004	<a href="#"><u>3</u></a>	MOTION to Intervene <i>As Of Right As Party Plaintiff Pursuant to Fed. R. Civ. 24(a) with attached Certificate of Service</i> by Chase, Theresa. (Attachments: # <a href="#"><u>1</u></a> Memorandum of Law in Support of Motion for Leave to Intervene as of Right as Party Plaintiff Pursuant to Fed. R. Civ. P. 24(a))(Joslin, Lisa) (Entered: 10/18/2004)
10/20/2004		TEXT ORDER ONLY Setting Hearing on Motion regarding <a href="#"><u>3</u></a> MOTION to Intervene As Of Right As Party Plaintiff Pursuant to Fed. R. Civ. 24(a) with attached Certificate of Service: Response to Motion due by 11/22/2004. Once response papers have been received by this Court, the motion will be placed upon the court's calendar. Issued by Judge Gary L. Sharpe on 10/20/2004. (jel, ) (Entered: 10/20/2004)
10/28/2004	<a href="#"><u>4</u></a>	ANSWER to Complaint by White House Home for Adults.(Savitt, Meredith) (Entered: 10/28/2004)
11/24/2004		TEXT ONLY NOTICE of Hearing on Motion <a href="#"><u>3</u></a> MOTION to Intervene As Of Right As Party Plaintiff Pursuant to Fed. R. Civ. 24(a) with attached Certificate of Service: Motion Hearing has been set for 12/9/2004 at 09:00 AM in Albany before Judge Gary L. Sharpe. Motion will be on SUBMIT only. No personal appearances are needed.(jel, ) (Entered: 11/24/2004)
12/06/2004	<a href="#"><u>5</u></a>	ORDER that Chase's <a href="#"><u>3</u></a> Motion to Intervene is GRANTED; that Chase file her complaint electronically no later than 20 (twenty) days from the date of this Order; that Defendant White House Home file and serve its answer electronically no later

		than 20 (twenty) days from the date of service of Chase's complaint. Signed by Judge Gary L. Sharpe on 12/6/2004. (jel, ) (Entered: 12/07/2004)
12/07/2004	<a href="#"><u>6</u></a>	<i>letter for White House Home for Adults relating to 12/6/04 Order</i> Letter for White House Home for Adults requesting response to 12/6/04 order. (Savitt, Meredith) (Entered: 12/07/2004)
12/10/2004	<a href="#"><u>7</u></a>	Letter dated 12/10/2004 from Judge Gary L. Sharpe to Meredith H. Savitt, Esq. (jel, ) (Entered: 12/10/2004)
12/22/2004	<a href="#"><u>8</u></a>	Intervenor COMPLAINT, filed by Chase, Theresa. (Attachments: # <a href="#"><u>1</u></a> Certificate of Service)(Joslin, Lisa) (Entered: 12/22/2004)
12/23/2004	<a href="#"><u>9</u></a>	<i>Defendant White House</i> ANSWER to Complaint of <i>Theresa Chase Intervenor</i> by White House Home for Adults. (Attachments: # <a href="#"><u>1</u></a> certificate of service)(Savitt, Meredith) (Entered: 12/23/2004)
01/10/2005	<a href="#"><u>10</u></a>	CIVIL CASE MANAGEMENT PLAN by Equal Employment Opportunity Commission. (Grossman, Elizabeth) (Entered: 01/10/2005)
01/19/2005	<a href="#"><u>11</u></a>	Minute Entry for Rule 16 proceedings held before Judge Randolph F. Treece : Initial Pretrial Conference held on 1/19/2005. Appearances by Arnold Lizana, Esq., Lisa Joslin, Esq., and Meredith Savitt, Esq. Trial Deadlines set. (ban) (Entered: 01/25/2005)
02/01/2005	<a href="#"><u>12</u></a>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of trial: 3 days (jury trial, no date or location specified). Joinder of Parties due by 2/15/2005. Amended Pleadings due by 2/15/2005. Discovery due by 12/31/2005. Motions to be filed by 3/1/2006. Status Report due by 8/15/2005. The parties have opted out of the ADR program. Signed by Judge Randolph F. Treece on 2/1/05. (wjg, ) (Entered: 02/01/2005)
02/15/2005	<a href="#"><u>13</u></a>	MOTION to Amend/Correct <a href="#"><u>8</u></a> Intervenor Complaint Motion Hearing set for 4/7/2005 09:30 AM in Albany before Magistrate Judge Randolph F. Treece. Response to Motion due by 3/21/2005 Reply to Response to Motion due by 3/28/2005. by Chase, Theresa. (Attachments: # <a href="#"><u>1</u></a> Affidavit in Support of Motion for Leave to Amend# <a href="#"><u>2</u></a> Memorandum of Law in Support of Plaintiff-Intervenor's Motion for Leave to Amend the Intervenor Complaint# <a href="#"><u>3</u></a> Certificate of Service)(Joslin, Lisa) (Entered: 02/15/2005)
02/16/2005	<a href="#"><u>14</u></a>	RESPONSE to Motion re <a href="#"><u>13</u></a> MOTION to Amend/Correct <a href="#"><u>8</u></a> Intervenor Complaint <i>taking no position</i> filed by White House Home for Adults. (Savitt, Meredith) (Entered: 02/16/2005)
02/16/2005	15	TEXT ORDER: Plaintiff Intervenor served and filed a Motion to Amend her complaint. See re <a href="#"><u>13</u></a> MOTION to Amend/Correct <a href="#"><u>8</u></a> Intervenor Complaint filed by Chase, Theresa. The Defendant takes no position on the Motion. See <a href="#"><u>14</u></a> Response to Motion filed by White House Home for Adults. With no opposition being made, the Plaintiff shall serve and file her Amended Complaint within seven (7) days of this Order. Signed by Judge Randolph F. Treece on 2/16/05. (Treece, Randolph) (Entered: 02/16/2005)
02/22/2005	<a href="#"><u>16</u></a>	Amended Intervenor COMPLAINT <i>Against White House Home for Adults and Ronald Hertzal, individually</i> filed by Chase, Theresa. (Attachments: # <a href="#"><u>1</u></a>

		Certificate of Service)(Joslin, Lisa) (Entered: 02/22/2005)
03/04/2005	<a href="#"><u>17</u></a>	<i>Defendants ANSWER to Complaint amended by intervenor</i> by White House Home for Adults, Ronald Hertz. (Attachments: # <a href="#"><u>1</u></a> )(Savitt, Meredith) (Entered: 03/04/2005)
03/11/2005	<a href="#"><u>18</u></a>	Letter from defendants white house and ronald hertz. for White House Home for Adults requesting discovery conference. (Savitt, Meredith) (Entered: 03/11/2005)
03/14/2005	<a href="#"><u>19</u></a>	Letter from defendants for White House Home for Adults requesting supplementation of information requested for discovery conference. (Savitt, Meredith) (Entered: 03/14/2005)
03/14/2005	<a href="#"><u>20</u></a>	LETTER BRIEF <i>Requested by Judge Treece</i> by Chase, Theresa. (Joslin, Lisa) (Entered: 03/14/2005)
03/18/2005	<a href="#"><u>21</u></a>	Letter from Meredith Savitt, Esq. RE: Discovery issues, as requested by the Court. (dated 3/17/05) (tab) (Entered: 03/20/2005)
03/18/2005	<a href="#"><u>22</u></a>	ORDER denying defendant's discovery motion . Signed by Judge Randolph F. Treece on 3/18/05. (tab) (Entered: 03/20/2005)
08/12/2005	<a href="#"><u>23</u></a>	STATUS REPORT by Chase, Theresa. (Joslin, Lisa) (Entered: 08/12/2005)
02/27/2006	<a href="#"><u>24</u></a>	First MOTION for Summary Judgment Motion Hearing set for 4/6/2006 09:00 AM in Albany before Judge Gary L. Sharpe. Response to Motion due by 3/20/2006 Reply to Response to Motion due by 3/27/2006. by White House Home for Adults, Ronald Hertz. (Attachments: # <a href="#"><u>1</u></a> Memorandum of Law in Support of Summary Judgment Motion# <a href="#"><u>2</u></a> Exhibit(s) 1 of 3 to MOL# <a href="#"><u>3</u></a> Exhibit(s) 2 of 3 to MOL# <a href="#"><u>4</u></a> Exhibit(s) 3 of 3 to MOL# <a href="#"><u>5</u></a> Statement of Material Facts # <a href="#"><u>6</u></a> Declaration Certificate of Service via ECF# <a href="#"><u>7</u></a> Declaration of Meredith H. Savitt# <a href="#"><u>8</u></a> Exhibit(s) 1 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>9</u></a> Exhibit(s) 2 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>10</u></a> Exhibit(s) 3 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>11</u></a> Exhibit(s) 4 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>12</u></a> Exhibit(s) 5 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>13</u></a> Exhibit(s) 6 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>14</u></a> Exhibit(s) 7 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>15</u></a> Exhibit(s) 8 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>16</u></a> Exhibit(s) 9 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>17</u></a> Exhibit(s) 10 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>18</u></a> Exhibit(s) 11 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>19</u></a> Exhibit(s) 12 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>20</u></a> Exhibit(s) 13 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>21</u></a> Exhibit(s) 14 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>22</u></a> Exhibit(s) 15 of 33 files w/ Exhibits to Savitt Declaration# <a href="#"><u>23</u></a> Exhibit(s) 16 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>24</u></a> Exhibit(s) 17 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>25</u></a> Exhibit(s) 18 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>26</u></a> Exhibit(s) 19 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>27</u></a> Exhibit(s) 20 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>28</u></a> Exhibit(s) 21 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>29</u></a> Exhibit(s) 22 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>30</u></a> Exhibit(s) 23 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>31</u></a> Exhibit(s) 24 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>32</u></a> Exhibit(s) 25 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>33</u></a> Exhibit(s) 26 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>34</u></a> Exhibit(s) 27 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>35</u></a> Exhibit(s) 28 of 33 files of Exhibits to Savitt Declaration# <a href="#"><u>36</u></a> Exhibit(s) 29 of 33 files of Exhibits

		to Savitt Declaration# <a href="#">37</a> Exhibit(s) 30 of 33 files of Exhibits to Savitt Declaration# <a href="#">38</a> Exhibit(s) 31 of 33 files of Exhibits to Savitt Declaration# <a href="#">39</a> Exhibit(s) 32 of 33 files of Exhibits to Savitt Declaration# <a href="#">40</a> Exhibit(s) 33 of 33 files of Exhibits to Savitt Declaration)(Savitt, Meredith) (Entered: 02/27/2006)
03/01/2006	<a href="#">25</a>	Letter Motion from defendants requesting conference for leave to file motion for sanctions for White House Home for Adults requesting leave to file motion for sanctions submitted to Judge treece. (Savitt, Meredith) (Entered: 03/01/2006)
03/03/2006	<a href="#">26</a>	MOTION for Sanctions <i>By defendants White House and Hertz</i> el Motion Hearing set for 4/6/2006 09:00 AM in Albany before Judge Gary L. Sharpe. Response to Motion due by 3/20/2006 Reply to Response to Motion due by 3/27/2006. by White House Home for Adults. (Attachments: # <a href="#">1</a> Memorandum of Law in support of sactions# <a href="#">2</a> Declaration in support of sanctions motion# <a href="#">3</a> Errata service certificate)(Savitt, Meredith) (Entered: 03/03/2006)
03/07/2006	<a href="#">27</a>	<i>Plaintiffs'</i> Letter Motion from EEOC for Equal Employment Opportunity Commission requesting Extension of Time To Respond To Defendant's Motions for Summary Judgment and Sanctions submitted to Judge Gary L. Sharpe. (Grossman, Elizabeth) (Entered: 03/07/2006)
03/08/2006	<a href="#">28</a>	Letter Request dated March 7, 2006 by Elizabeth Grossman, Esq., and order regarding the <a href="#">24</a> First MOTION for Summary Judgment and the <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertz: Response to Motion for Summary Judgment due by 4/21/2006; Response to Motion for Sanctions due by 4/28/2006; Reply to Response to Motion for Summary Judgment due by 5/5/2006. Reply to Response to Motion for Sanctions due by 5/13/06. Motion Hearing set for 6/1/2006 at 09:00 AM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 3/8/2006. (jel, ) (Entered: 03/08/2006)
03/08/2006		Set/Reset Deadlines as to <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertz: pursuant to the <a href="#">28</a> letter request and order. Response to Motion due by 4/28/2006 Reply to Response to Motion due by 5/13/2006. Motion hearing set for June 1, 2006 at 9:00 a.m. before Judge Gary L. Sharpe. (jel, ) (Entered: 03/08/2006)
04/20/2006	<a href="#">29</a>	RESPONSE in Opposition re <a href="#">24</a> First MOTION for Summary Judgment filed by Chase, Theresa, Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 04/20/2006)
04/20/2006	<a href="#">30</a>	RESPONSE in Opposition re <a href="#">24</a> First MOTION for Summary Judgment <i>PLAINTIFFS JOINT STATEMENT OF MATERIAL DISPUTED FACTS</i> filed by Chase, Theresa, Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 04/20/2006)
04/20/2006	<a href="#">31</a>	AFFIDAVIT re <a href="#">30</a> Response in Opposition to Motion <i>Declaration of Arnold Lizana</i> by Chase, Theresa, Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 04/20/2006)
04/20/2006	<a href="#">32</a>	CERTIFICATE OF SERVICE by Chase, Theresa, Equal Employment Opportunity Commission re <a href="#">29</a> Response in Opposition to Motion (Lizana, Arnold) (Entered: 04/20/2006)

04/20/2006	<a href="#"><u>33</u></a>	AMENDED DOCUMENT by Chase, Theresa, Equal Employment Opportunity Commission. Amendment to <a href="#"><u>30</u></a> Response in Opposition to Motion <i>Exhibit No. 1</i> . (Lizana, Arnold) (Entered: 04/20/2006)
04/20/2006	<a href="#"><u>34</u></a>	MEMORANDUM OF LAW re <a href="#"><u>24</u></a> Motion for Summary Judgment,,,,,,,,, filed by Chase, Theresa, Equal Employment Opportunity Commission. (Lizana, Arnold) (Entered: 04/20/2006)
04/21/2006	<a href="#"><u>35</u></a>	Exhibit List <i>1 - 5 IN SUPPORT OF PLAINTIFFS' JOINT STATEMENT OF FACTS AND MEMORANDUM OF LAW (ENTRIES 30, 33 AND 34 )</i> by Chase, Theresa, Equal Employment Opportunity Commission.. (Attachments: # <a href="#"><u>1</u></a> Exhibit(s) 2 of 30# <a href="#"><u>2</u></a> Exhibit(s) 3 of 30# <a href="#"><u>3</u></a> Exhibit(s) 4 of 30# <a href="#"><u>4</u></a> Exhibit(s) 4-2# <a href="#"><u>5</u></a> Exhibit(s) # <a href="#"><u>6</u></a> Exhibit(s) 4-4# <a href="#"><u>7</u></a> Exhibit(s) 5 of 30)(Lizana, Arnold) (Entered: 04/21/2006)
04/21/2006	<a href="#"><u>36</u></a>	Exhibit List <i>6 - 10 IN SUPPORT OF PLAINTIFFS' JOINT STATEMENT OF FACTS AND MEMORANDUM OF LAW (ENTRIES 30, 33 AND 34 )</i> by Chase, Theresa, Equal Employment Opportunity Commission.. (Attachments: # <a href="#"><u>1</u></a> Exhibit(s) 6 of 30# <a href="#"><u>2</u></a> Exhibit(s) 6-2# <a href="#"><u>3</u></a> Exhibit(s) 7 of 30# <a href="#"><u>4</u></a> Exhibit(s) 7-2# <a href="#"><u>5</u></a> Exhibit(s) 7-3# <a href="#"><u>6</u></a> Exhibit(s) 7-4# <a href="#"><u>7</u></a> Exhibit(s) 7-5# <a href="#"><u>8</u></a> Exhibit(s) 8 of 30# <a href="#"><u>9</u></a> Exhibit(s) 8-2# <a href="#"><u>10</u></a> Exhibit(s) 9 of 30# <a href="#"><u>11</u></a> Errata 10 of 30# <a href="#"><u>12</u></a> Exhibit(s) 10-2)(Lizana, Arnold) (Entered: 04/21/2006)
04/21/2006	<a href="#"><u>37</u></a>	Exhibit List <i>11 - 15 IN SUPPORT OF PLAINTIFFS' JOINT STATEMENT OF FACTS AND MEMORANDUM OF LAW (ENTRIES 30, 33 AND 34 )</i> by Chase, Theresa, Equal Employment Opportunity Commission.. (Attachments: # <a href="#"><u>1</u></a> Exhibit(s) 11-2# <a href="#"><u>2</u></a> Exhibit(s) 12 of 30# <a href="#"><u>3</u></a> Exhibit(s) 13 of 30# <a href="#"><u>4</u></a> Exhibit(s) 13-2# <a href="#"><u>5</u></a> Exhibit(s) 13-3# <a href="#"><u>6</u></a> Exhibit(s) 14 of 30# <a href="#"><u>7</u></a> Exhibit(s) 15 of 30# <a href="#"><u>8</u></a> Exhibit(s) 15 of 30)(Lizana, Arnold) (Entered: 04/21/2006)
04/21/2006	<a href="#"><u>38</u></a>	Exhibit List <i>16 - 25 IN SUPPORT OF PLAINTIFFS' JOINT STATEMENT OF FACTS AND MEMORANDUM OF LAW (ENTRIES 30, 33 AND 34 )</i> by Chase, Theresa, Equal Employment Opportunity Commission.. (Attachments: # <a href="#"><u>1</u></a> Exhibit(s) 16-2# <a href="#"><u>2</u></a> Exhibit(s) 17 of 30# <a href="#"><u>3</u></a> Exhibit(s) 18 of 30# <a href="#"><u>4</u></a> Exhibit(s) 19 of 30# <a href="#"><u>5</u></a> Exhibit(s) 20 of 30# <a href="#"><u>6</u></a> Exhibit(s) 21 of 30# <a href="#"><u>7</u></a> Exhibit(s) 22 of 30# <a href="#"><u>8</u></a> Exhibit(s) 23 of 30# <a href="#"><u>9</u></a> Exhibit(s) 24 of 30# <a href="#"><u>10</u></a> Exhibit(s) 25 of 30)(Lizana, Arnold) (Entered: 04/21/2006)
04/21/2006	<a href="#"><u>39</u></a>	Exhibit List <i>26 - 30 IN SUPPORT OF PLAINTIFFS' JOINT STATEMENT OF FACTS AND MEMORANDUM OF LAW (ENTRIES 30, 33 AND 34 )</i> by Chase, Theresa, Equal Employment Opportunity Commission.. (Attachments: # <a href="#"><u>1</u></a> Exhibit(s) 27 of 30# <a href="#"><u>2</u></a> Exhibit(s) 28 of 30# <a href="#"><u>3</u></a> Exhibit(s) 29 of 30# <a href="#"><u>4</u></a> Exhibit(s) 30 of 30)(Lizana, Arnold) (Entered: 04/21/2006)
04/26/2006	<a href="#"><u>40</u></a>	Letter Motion from defendants requesting extension of time for White House Home for Adults requesting extension of time to respond to motions submitted to Judge sharpe. (Savitt, Meredith) (Entered: 04/26/2006)
04/27/2006	<a href="#"><u>41</u></a>	LETTER REQUEST dated April 26, 2006 by Meredith H. Savitt, Esq., and ORDER Setting Hearing on Motion <a href="#"><u>24</u></a> First MOTION for Summary Judgment, <a href="#"><u>26</u></a> MOTION for Sanctions By defendants White House and Hertz: Response to Motion due by 5/12/2006 Reply to Response to Motion due by 5/26/2006. Motion Hearing set for 6/15/2006 at 09:00 AM in Albany before Judge Gary L.



		Sharpe. Signed by Judge Gary L. Sharpe on 4/27/2006. (jel, ) (Entered: 04/27/2006)
05/11/2006	<a href="#">42</a>	RESPONSE in Opposition re <a href="#">26</a> MOTION for Sanctions <i>By defendants White House and Hertz</i> filed by Chase, Theresa, Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Declaration OF ARNOLD J. LIZANA IN OPPOSITION TO DEFENDANTS' MOTION FOR SANCTIONS# <a href="#">2</a> Exhibit(s) A# <a href="#">3</a> Exhibit(s) B# <a href="#">4</a> Exhibit(s) C)(Lizana, Arnold) (Entered: 05/11/2006)
05/24/2006	<a href="#">43</a>	REPLY to Response to Motion re <a href="#">24</a> First MOTION for Summary Judgment filed by White House Home for Adults. (Attachments: # <a href="#">1</a> Declaration of Meredith Savitt in Reply with Exhibits# <a href="#">2</a> Exhibit(s) Exhibit A# <a href="#">3</a> Exhibit(s) Exhibit B# <a href="#">4</a> Declaration of electronic service certificate)(Savitt, Meredith) (Entered: 05/24/2006)
05/26/2006	<a href="#">44</a>	REPLY to Response to Motion re <a href="#">26</a> MOTION for Sanctions <i>By defendants White House and Hertz</i> filed by White House Home for Adults. (Attachments: # <a href="#">1</a> Appendix attachment for memo of law# <a href="#">2</a> Declaration of service certificate)(Savitt, Meredith) (Entered: 05/26/2006)
05/30/2006	45	TEXT ONLY NOTICE of Hearing on Motion <a href="#">24</a> First MOTION for Summary Judgment, and the <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertz: Due to a conflict in the court's calendar, Motion Hearing has been reset for 7/20/2006 at 09:00 AM in Albany before Judge Gary L. Sharpe. Oral argument will be required unless otherwise notified by the court.(jel, ) (Entered: 05/30/2006)
05/30/2006	<a href="#">46</a>	<i>Amended Exhibits A &amp; B</i> by White House Home for Adults, Ronald Hertz. (Attachments: # <a href="#">1</a> Exhibit(s) B (case))(Savitt, Meredith) (Entered: 05/30/2006)
06/02/2006	<a href="#">47</a>	<i>Plaintiff's</i> Letter Motion for Equal Employment Opportunity Commission requesting Alternative Hearing Date submitted to Judge Sharpe. (Lizana, Arnold) (Entered: 06/02/2006)
06/14/2006	<a href="#">48</a>	LETTER REQUEST dated June 2, 2006 by Arnold Lizana, Esq., and ORDER Setting Hearing on Motion <a href="#">24</a> First MOTION for Summary Judgment and the <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertz: Based upon this request and a conflict in the court's calendar, the Motion Hearing has been reset for 9/6/2006 at 09:00 AM in Albany before Judge Gary L. Sharpe. Oral argument will be required unless otherwise notified by the court. Signed by Judge Gary L. Sharpe on 6/14/2006. (jel, ) (Entered: 06/14/2006)
06/26/2006	<a href="#">49</a>	Letter Motion from defendants seeking postponement of oral argument date for White House Home for Adults requesting postponement of oral argument date submitted to Judge sharpe. (Savitt, Meredith) (Entered: 06/26/2006)
06/29/2006		TEXT ONLY NOTICE of Hearing on Motion <a href="#">24</a> First MOTION for Summary Judgment and the <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertz: Motion Hearing has been reset for 8/3/2006 at 09:00 AM in Albany before Judge Gary L. Sharpe. Oral argument will be required unless otherwise notified by the court. (jel, ) (Entered: 06/29/2006)

08/03/2006	<a href="#">50</a>	Minute Entry for proceedings held before Judge Gary L. Sharpe : CRD: John Law; Motion Hearing held on 8/3/2006 re <a href="#">26</a> MOTION for Sanctions By defendants White House and Hertzelt filed by White House Home for Adults,, <a href="#">24</a> First MOTION for Summary Judgment filed by White House Home for Adults,, Ronald Hertzelt; Appearances Made: Arnold Lizana and Judy Keenan, Esqs., for the EEOC, Lisa F. Joslin, Esq., for Plaintiff Chase and Meredith Savitt, Esq., for the defendants. Court states pending motions before the court; Court exhibit 1 issued to counsel - standard of review for summary judgment. Court asks defense counsel if disputed facts can't address; Atty. Savitt states if genuine facts can't, but believes there is no genuine facts. Court discusses credibility to be before trier of facts. Atty. Savitt states statements are not consistent. Court turns to EEOC. Atty. Savitt states possibly one other plaintiff. Atty. Lizana states position and that summary judgment is not appropriate. States statement of facts in dispute. Court states can't make evidentiary rulings on the motion for summary judgment. Court inquires on precise nature of claim. Atty. Lizana states hostile work environment claim, discharge claim, etc. Jury needs to address any credibility issues; states defendant did not have effective policy on sexual harrasment. States circuit case for the court. Atty. Lizana discusses retaliation claim. States supreme court decision. Credibility is not the role of the court. Atty. Joslin states policy was inadequate and no proper training. Indicates medical records are disputed in this case. Atty. Savitt states plaintiffs trying to make this a credibility issue. States plaintiff made no allegations of sexual harrasment until left work and seen an attorney. Discusses issue of adverse employment condition. Court states case not ripe for summary judgment. Court discusses 7.1 f statements. Court DENIES the Motion for Summary Judgment and the Motion for Sanctions in their entirety. Court moves this case to the trial ready calendar. Transcript constitutes the decision of the court. No written order forthcoming. Court, in due time, will issue a trial scheduling order with all pertinent deadlines well in advance of the trial date. (Court Reporter Theresa Casal) Time: 9:45-10:35 a.m. (jel, ) (Entered: 08/03/2006)
08/03/2006	<a href="#">51</a>	COURT EXHIBIT 1 - Standard of Review - Summary Judgment. (jel, ) (Entered: 08/03/2006)
08/03/2006		ORAL ORDER denying <a href="#">24</a> Motion for Summary Judgment and denying <a href="#">26</a> Motion for Sanctions . Orally issued from the bench by Judge Gary L. Sharpe on 8/3/2006. (jel, ) (Entered: 08/03/2006)
01/26/2007	<a href="#">52</a>	ORDER REASSIGNING CASE. Case reassigned to Judge William K. Sessions, III for all further proceedings. Judge Gary L. Sharpe no longer assigned to case. Signed by Judge Norman A. Mordue on 1/26/07. (amt, ) (Entered: 01/26/2007)
09/24/2007	<a href="#">53</a>	STATUS REPORT by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Proposed Order/Judgment Proposed Consent Decree)(jel, ) (Entered: 09/25/2007)
09/27/2007	<a href="#">54</a>	CONSENT JUDGMENT in favor of Theresa Chase and Equal Employment Opportunity Commission against White House Home for Adults. Signed by Judge William K. Sessions III on 9/27/07. (Imp) (Entered: 09/27/2007)



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