

CLOSED, MEDT4

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:98-cv-08842-RMB-HBP

E.E.O.C. v. Motorcycle Equities
Assigned to: Judge Richard M. Berman
Referred to: Magistrate Judge Henry B. Pitman
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 12/15/1998
Date Terminated: 12/29/1999
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C. Gregory Steward**
Equal Employment Opportunity
Commission
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V.

Defendant

Motorcycle Equities, Inc.
doing business as
 Harley Davidson Cafe

represented by **David Jaroslawicz**
 Jaroslawicz & Jaros
 150 William Street
 19th Floor
 New York, NY 10038
 (212) 227-2780
LEAD ATTORNEY

Date Filed	#	Docket Text
12/15/1998	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (No Fees Due - U.S.A.). (em) (Entered: 12/16/1998)
12/15/1998		Magistrate Judge Pitman is so Designated. (em) (Entered: 12/16/1998)
02/24/1999	2	Order referring action to the Clerk to assign the above-entitled action to mediation. Eligible for mediation subject to the limitations and restrictions noted below; all issues are eligible (signed by Judge Richard M. Berman) (lam) (Entered: 02/25/1999)
02/24/1999	3	Case Management Plan: Discovery cutoff 6/25/99; Settlement conference for 9:30 7/16/99 - with full settlement authority; Joint Pretrial order to be submitted on or before 7/30/99; Jury Trial date set for 9:00 11/15/99; Referred to Mediation: Parties to seek to expedite (George O'Malley) (signed by Judge Richard M. Berman); Copies mailed. (lam) (Entered: 02/25/1999)
03/01/1999	4	ANSWER to Complaint by Motorcycle Equities (Attorney David Jaroslawicz); jury demand. (kw) (Entered: 03/02/1999)
03/01/1999	5	RULE 1.9 CERTIFICATE filed by Motorcycle Equities. (kw) (Entered: 03/02/1999)
03/18/1999	6	Notice of selection of mediator. (sc) (Entered: 03/18/1999)
05/14/1999	7	Filed Memo-Endorsement on letter to Judge Berman from Rose Reyes-McKiernan dated 5/7/99, reset scheduling order deadlines: discovery (fact + expert) cutoff 8/13/99; pretrial order + charges to jury due on 9/10/99; settlement conference on 7/16/99 + pretrial conference by 9/24/99; 11/15/99 trial dates are firm (signed by Judge M. Berman) (kw) (Entered: 05/18/1999)
07/16/1999		Pretrial Conference held before Judge Richard M. Berman . (lam) (Entered: 08/03/1999)
08/19/1999	8	Filed Memo-Endorsement on letter addressed to Judge Berman from Rose R. McKiernan, EEOC dated 8/6/99; counsel requests an informal conference with the court purs to Local Civil Rule 37.2 since plttf seeks a protective order prohibiting deft from inquiring into areas of financial support by Mr. Sealy to Ms McDonald from 1995 to the present; discovery disputes should forthwith be taken up by counsel with Magistrate Judge Pitman (signed Judge Richard M. Berman); Copies mailed. (lam) (Entered: 08/20/1999)

08/24/1999	9	Filed Memo-Endorsement on letter addressed to Judge Berman from Rose Reyes-McKiernan, atty for EEOC, dated 8/19/99; counsel requests that this Court order that the parties prepare a pre-trial order rather than allow deft to proceed on a motion for summary judgment; Summary Judgment seems improbable in light of fact issues; Counsel may set Pre-Motion Conference with Court Deputy but should not file in advance (signed by Judge Richard M. Berman); Copies mailed. (lam) (Entered: 08/26/1999)
08/30/1999	10	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial/After Initial Case Management Conference held by District Judge (signed by Judge Richard M. Berman) Referred to Magistrate Judge Henry B. Pitman (lam) (Entered: 08/31/1999)
09/10/1999	11	ORDER, plaintiff shall serve a supplemental response to Interrogatory No. 4 by the close of business on 9/13/99. The supplemental response shall set forth with specificity the precise amount of compensatory and punitive damages that are sought with respect to each claimant and the basis, if any, for the amount sought (signed by Magistrate Judge Henry B. Pitman); Copies mailed. (kw) (Entered: 09/13/1999)
09/10/1999	12	Filed Memo-Endorsement on letter addressed to Judge Berman from David Jaroslawicz, dated 9/9/99, plaintiff's counsel requests a conference to fix a schedule for summary judgment. No motion(s) need yet be filed ; set settlement conference for 10:00 a.m. on 9/24/99 (signed by Judge Richard M. Berman); Copies mailed. (kw) Modified on 09/14/1999 (Entered: 09/13/1999)
09/10/1999	13	ORDER, reset pre-trial order due for 9/17/99 ; plttf is directed to provide a draft of its portion of the Pretrial Order to counsel for deft by 5:00pm on 9/13/99 (signed by Magistrate Judge Henry B. Pitman); Copies mailed by Chambers. (lam) Modified on 09/14/1999 (Entered: 09/13/1999)
09/10/1999	14	Filed Memo-Endorsement on letter addressed to Judge Berman from Rose Reyes McKiernan, atty for plttf, dated 9/8/99; granting counsel's request for an extension; reset pre-trial order due for 9/24/99 ; counsel to confer with Court Deputy re: conference date after 10/15/99 (signed by Judge Richard M. Berman); Copies mailed. (lam) (Entered: 09/13/1999)
10/05/1999	15	Objections by Motorcycle Equities to Magistrate Judge Pitman's oral ruling of 9/21/99. (kw) (Entered: 10/06/1999)
10/05/1999		Pretrial Conference held before Judge Richard M. Berman (lam) (Entered: 11/01/1999)
10/14/1999	16	Memo-Endorsement on letter addressed to Magistrate Judge Pitman from David Jaroslawicz, atty for deft, dated 9/29/99; treating the letter as a motion for sanctions or to compel, the motion is denied ; interrogator., 4 has been answered adequately (signed by Judge Richard M. Berman); Copies mailed. (lam) (Entered: 10/18/1999)
10/14/1999	17	Letter filed by E.E.O.C. addressed to Magistrate Judge Pitman from Rose Reyes McKiernan, dated 9/30/99, re: in response to deft's letter to the Court dated 9/29/99. (lam) (Entered: 10/18/1999)

10/14/1999		Pretrial Conference held before Judge Richard M. Berman (lam) (Entered: 11/02/1999)
12/29/1999	18	CONSENT DECREE, this Decree resolves all issues raised in EEOC's Complaint filed herein, the draft pre-trial order and EEOC Charge # 160960770 up to the date of the entry of this Decree; deft, its managers, officers, agents, successors and assigns agree not to discriminate against any individual because of the individual's race or sex, engage in sexual harassment toward any employee, or retaliate against any individual asserting his rights under Title VII ; in settlement of this dispute, Mororcycle Equities shall pay a total of \$175,000 ; the EEOC and deft agree to bear their own attorney fees and costs in connection with this case ; this Decree will remain in effect until January 1, 2001 (signed by Judge Richard M. Berman) (lam) Modified on 01/05/2000 (Entered: 01/03/2000)
12/29/1999		Case closed. (lam) (Entered: 01/03/2000)
01/03/2000	19	CONSENT DECREE, this Decree resolves all issues raised in EEOC's Complaint filed herein, the draft pre-trial order and EEOC Charge # 160960770 up to the date of the entry of this Decree ; deft, its managers, officers, agents, successors and assigns agree not to discriminate against any individual because of the individual's race or sex, engage in sexual harrassment toward any employee, or retaliate against any individual asserting his rights under Title VII; in settlement of this dispute, Motorcycle Equities shall pay a total of \$175,000 ; the EEOC and deft agree to bear their own atty fees and costs in connection with this case ; this Decree will remain in effect until January 1, 2001 (signed by Judge Richard M. Berman) (lam) (Entered: 01/07/2000)
09/12/2000	20	Report of the Clerk of Court regarding court-ordered mediation: Paragraph 4 or 5 and unresolved issues should be treated as if they had not been sent to mediation. (Signed by George O'Malley, Counsel for the Clerk of Court) (sc) (Entered: 09/12/2000)
09/12/2000	21	Report of Mediator to the Clerk that the court-ordered mediation in this case was held and produced a stipulation settling less than all of the issues of the case. The unresolved issues should be treated as if they had not been sent to mediation. (sc) (Entered: 09/12/2000)

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