

**U.S. District Court**  
**Northern District of New York – Main Office (Syracuse) [LIVE – Version 3.1.2]**  
**(Albany)**  
**CIVIL DOCKET FOR CASE #: 1:06-cv-00480-GLS-DRH**

Murphy et al v. Super Steel Schenectady Inc.  
Assigned to: Judge Gary L. Sharpe  
Referred to: Magistrate Judge David R. Homer  
Demand: \$175,000,000  
Cause: 42:1981 Job Discrimination (Race)

Date Filed: 04/18/2006  
Date Terminated: 04/23/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Criss Murphy**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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**ATTORNEY TO BE NOTICED**

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LEAD ATTORNEY  
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**Plaintiff**

**Norman Jordan**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Grant E. Morris**  
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**Janette L. Wipper**  
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**Jeremy Heisler**  
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**Steven L. Wittels**  
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ATTORNEY TO BE NOTICED

**Plaintiff**

**Andino Ward**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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**Grant E. Morris**  
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**Jeremy Heisler**  
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ATTORNEY TO BE NOTICED

**Steven L. Wittels**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Plaintiff**

**Eddie Barnes, Jr.**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Grant E. Morris**

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*ATTORNEY TO BE NOTICED*

**Janette L. Wipper**  
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*LEAD ATTORNEY*  
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**Jeremy Heisler**  
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*LEAD ATTORNEY*  
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**Steven L. Wittels**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Paul Hannon**  
*Individually and on Behalf of Others*  
*Simiarly Situated*

represented by **David W. Sanford**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Grant E. Morris**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Janette L. Wipper**  
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**Jeremy Heisler**  
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**Steven L. Wittels**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Curtis Nelson**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Grant E. Morris**  
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**Janette L. Wipper**  
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*LEAD ATTORNEY*  
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**Jeremy Heisler**  
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ATTORNEY TO BE NOTICED

**Steven L. Wittels**  
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**Plaintiff**

**David Chambers**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

**Grant E. Morris**  
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**Steven L. Wittels**  
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**Plaintiff**

**Herion Murphy**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
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ATTORNEY TO BE NOTICED

**Grant E. Morris**  
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**Janette L. Wipper**  
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**Jeremy Heisler**  
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ATTORNEY TO BE NOTICED

**Steven L. Wittels**  
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ATTORNEY TO BE NOTICED

**Plaintiff**

**Vincent Safford**  
*Individually and on Behalf of Others*  
*Similarly Situated*

represented by **David W. Sanford**  
(See above for address)  
LEAD ATTORNEY

*ATTORNEY TO BE NOTICED*

**Grant E. Morris**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Janette L. Wipper**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Jeremy Heisler**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Steven L. Wittels**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Super Steel Schenectady Inc.**

represented by **Joan M. Gilbride**

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*LEAD ATTORNEY*

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Date Filed	#	Docket Text
04/18/2006	<u>1</u>	COMPLAINT against Super Steel Schenectady Inc. ( Filing fee \$ 350 receipt number ALB002239) filed by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr.(wbl, ) (Entered: 04/19/2006)
04/18/2006	<u>2</u>	G.O. 25 FILING ORDER ISSUED Initial Conference set for 8/22/2006 09:00 AM in Albany before Magistrate Judge David R. Homer. Civil Case Management Plan due by 8/14/2006. (wbl, ) (Entered: 04/19/2006)
04/19/2006		Summons Issued as to Super Steel Schenectady Inc.. (wbl, ) (Entered: 04/19/2006)
06/07/2006		Filing fee for Pro Hac Vice Admissions of Grant Morris, David Sanford, and Janette Wipper, Esqs.: \$ 90.00, receipt number ALB002431 (wbl, ) (Entered: 06/07/2006)
06/16/2006	<u>3</u>	NOTICE by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr of Motion for Admission Pro Hac Vice (Attachments: # <u>1</u> Affidavit Affidavit of Sponsor for Admission Pro Hac Vice# <u>2</u> E-Filing Registration# <u>3</u> E-Filing Registration# <u>4</u> E-Filing Registration# <u>5</u> Certificate of Good Standing for D. Sanford# <u>6</u> Certificate of Good Standing for J. Wipper# <u>7</u> Certificate of Good Standing for J. Heisler# <u>8</u> E-Filing Registration# <u>9</u> Certificate of Good Standing for G. Morris# <u>10</u> Petition for Admission to Practice for D. Sanford# <u>11</u> Petition for Admission to Practice for G. Morris# <u>12</u> Petition for Admission to Practice for J. Wipper# <u>13</u> Petition for Admission to Practice for J. Heisler# <u>14</u> Proposed Order/Judgment Proposed Order for Admission Pro Hac Vice)(Wittels, Steven)

		(Entered: 06/16/2006)
06/23/2006		Filing fee for Pro Hac Vice admission of Jeremy Heisler, Esq.: \$ 30.00, receipt number ALB002489 (wbl, ) (Entered: 06/23/2006)
07/12/2006	<u>4</u>	ORDER granting <u>3</u> Motion for PHV Admission of Jeremy Heisler, David W. Sanford, Grant E. Morris, and Janette L. Wipper, Esqs., added for Pltfs. Signed by Judge David R. Homer on 7/12/06. (amt, ) (Entered: 07/13/2006)
08/15/2006	<u>5</u>	NOTICE of Hearing: Initial Conference set for 9/12/2006 09:30 AM in Albany before Judge Gary L. Sharpe. Civil Case Management Plan due by 9/6/2006. (tab) (Entered: 08/15/2006)
08/17/2006	<u>6</u>	Letter Motion from David W. Sanford for Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr requesting that the Rule 16 Scheduling Conference and Case Management Plan be postponed until after the 9/14–9/15 Mediation submitted to Judge David R. Homer. (Wittels, Steven) (Entered: 08/17/2006)
08/28/2006	<u>7</u>	NOTICE of Appearance by Joan M. Gilbride on behalf of Super Steel Schenectady Inc. (Gilbride, Joan) (Entered: 08/28/2006)
08/30/2006	<u>8</u>	TEXT NOTICE. The Rule 16 conference previously rescheduled to 9/12/06 at 9:30 a.m. is RESCHEDULED to OCTOBER 18, 2006 at 9:30 a.m. pursuant to the letter/request of plaintiff's counsel dated 8/17/06 to allow the parties to participate in class mediation. The Rule 16 conference may be conducted by telephone. Plaintiff's counsel is to initiate telephone conference. The Case Management Plan's due date is 10/11/06. (lah, ) (Entered: 08/30/2006)
10/13/2006	<u>9</u>	Letter from Atty Gilbride to the Court dd 10/11/06 advising of settlement, and requesting adjournment of Rule 16 conference; so ordered by Judge Homer. (sfp, ) Modified on 10/16/2006 to insert text re: request and order (cbm, ). (Entered: 10/13/2006)
10/13/2006		Clerk traditionally served <u>9</u> letter upon non ecf parties. (sfp, ) (Entered: 10/13/2006)
12/22/2006	<u>10</u>	NOTICE of Settlement <i>and Request for Preliminary Approval Hearing re Consent Decree</i> by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Super Steel Schenectady Inc., Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr (Attachments: # <u>1</u> Consent Decree)(Sanford, David) (Entered: 12/22/2006)
12/22/2006		COURT NOTICE, The Court is in receipt of a Joint Motion for a Preliminary Approval Hearing. Upon review of the papers, the court will issue a notice in due time advising the parties of a conference date. (jel, ) (Entered: 12/22/2006)
01/05/2007		TEXT ONLY NOTICE of Hearing on the <u>10</u> Joint Motion for a Preliminary Approval Hearing. Motion Hearing set for 1/25/2007 at 09:00 AM in Albany before Judge Gary L. Sharpe. (jel, ) (Entered: 01/05/2007)
01/08/2007		TEXT ONLY NOTICE, Due to a conflict in the court's calendar, the hearing scheduled for January 25, 2007 at 9:00 a.m. has been adjourned. Notice will be sent to all parties advising of a new date. (jel, ) (Entered: 01/08/2007)
01/10/2007		TEXT ONLY NOTICE of Hearing on the <u>10</u> Joint Motion for a Preliminary Approval Hearing. Motion Hearing set for 1/25/2007 at 1:00 PM in Albany before Judge Gary L. Sharpe.(jel, ) (Entered: 01/10/2007)
01/19/2007	<u>11</u>	NOTICE by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr re <u>10</u> Notice of Settlement, <i>Consent Decree with Appendices</i> (Attachments: # <u>1</u> Appendix I–Claim Form# <u>2</u> Appendix II–Release# <u>3</u> Appendix III–Notice of Settlement)(Sanford, David) (Entered: 01/19/2007)
01/24/2007	<u>12</u>	SETTLEMENT AGREEMENT <i>Proposed Order Preliminarily Approving Class Settlement</i> by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr.

		(Attachments: # <u>1</u> Supplement)(Wittels, Steven) (Entered: 01/24/2007)
01/25/2007	<u>13</u>	Minute Entry for proceedings held before Judge Gary L. Sharpe : CRD: John Law; Preliminary Approval Hearing held on January 25, 2007 before Judge Gary L. Sharpe; Appearances Made: Janette L. Wipper and Steven L. Wittels, Esqs., for the plaintiffs and Joan M. Gilbride, Esq., for the defendant; Atty. Wittels requests the court to sign the preliminary approval order and set a fairness hearing; discusses procedure with the court; Court inquires of breakdown of monetary relief; Atty. Wittels discusses and indicates there are under 100 workers; Court states concerns that the court had; Atty. Wittels states other people have contacted him after hearing of possible settlement; Court sets Fairness Hearing date for April 23, 2007 at 1:30 p.m. at the proposal of counsel; Court understands the matter at issue and is satisfied at this point and will execute the proposed order. (Court Reporter Bonnie Buckley) Time: 1:00–1:15 p.m. (jel, ) (Entered: 01/26/2007)
01/25/2007	<u>14</u>	ORDER PRELIMINARILY APPROVING THE CLASS SETTLEMENT: Fairness Hearing set for 4/23/2007 at 01:30 PM in Albany before Judge Gary L. Sharpe. Signed by Judge Gary L. Sharpe on 1/25/2007. (jel, ) (Entered: 01/26/2007)
03/21/2007	<u>15</u>	LETTER REQUEST AND ORDER re <u>11</u> Settlement Decree/Notice filed by Vincent Safford, Andino Ward, David Chambers, Herion Murphy, Curtis Nelson, Paul Hannon, Eddie Barnes, Jr., Criss Murphy, Norman Jordan: AMENDING the Consent Decree due to a mathematical error. Signed by Judge Gary L. Sharpe on 3/21/07. (tab) (Entered: 03/21/2007)
04/19/2007	<u>16</u>	NOTICE by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr <i>ltr to court re motion for approval of final consent decree</i> (Wittels, Steven) (Entered: 04/19/2007)
04/19/2007	<u>17</u>	MOTION to Approve Consent Judgment , <i>Attorneys' Fees and Expenses, and Entry of Judgment</i> Motion Hearing set for 4/23/2007 01:30 PM in Albany before Judge Gary L. Sharpe. by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr. (Wittels, Steven) (Entered: 04/19/2007)
04/19/2007	<u>18</u>	MEMORANDUM OF LAW <i>in support of motion for final approval of consent decree</i> filed by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr. (Attachments: # <u>1</u> Exhibit(s))(Wittels, Steven) (Entered: 04/19/2007)
04/19/2007	<u>19</u>	MEMORANDUM OF LAW <i>in support of unopposed motion for attorneys' fees and expenses</i> filed by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr. (Attachments: # <u>1</u> Exhibit(s) A–B# <u>2</u> Exhibit(s) C–E# <u>3</u> Exhibit(s) F–J# <u>4</u> Exhibit(s) K–M)(Wittels, Steven) (Entered: 04/19/2007)
04/19/2007	<u>20</u>	AFFIDAVIT <i>D. Sanford Declaration</i> by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr. (Wittels, Steven) (Entered: 04/19/2007)
04/19/2007	<u>21</u>	AFFIDAVIT <i>of service</i> by Paul Hannon, Curtis Nelson, David Chambers, Herion Murphy, Vincent Safford, Criss Murphy, Norman Jordan, Andino Ward, Eddie Barnes, Jr. (Wittels, Steven) (Entered: 04/19/2007)
04/23/2007	<u>22</u>	Minute Entry for proceedings held before Judge Gary L. Sharpe : CRD: John Law; Motion Hearing held on 4/23/2007 re <u>17</u> MOTION to Approve Consent Judgment, Attorneys' Fees and Expenses, and Entry of Judgment filed by Vincent Safford, Andino Ward, David Chambers, Herion Murphy, Curtis Nelson, Paul Hannon, Eddie Barnes, Jr., Criss Murphy, Norman Jordan; Appearances Made: Janette L. Wipper and David Sanford, Esqs., for the plaintiffs and Joan M. Gilbride, Esq., for the defendant; Atty. Sanford states no opt outs or no objections; received 32 letters to opt in out of 100 notices that were sent. Court discusses proposed order which is docket number 21. Atty. Gilbride states no opposition. Court adopts the proposed order and intends to

		enter the judgment. Court will enter judgment accordingly. (Court Reporter Theresa Casale) Time: 1:55–2:00 p.m. (jel, ) (Entered: 04/23/2007)
04/23/2007	<u>23</u>	JUDGMENT AND ORDER OF DISMISSAL WITH PREJUDICE. Signed by Judge Gary L. Sharpe on 4/23/2007. (jel, ) (Entered: 04/23/2007)
08/03/2007	<u>24</u>	DOCUMENT REJECTION ORDER, returning letter to Bobby D. Fairley requesting the court to reopen the case. Time to object has expired. Case is now closed. Request is DENIED AS MOOT. Signed by Judge Gary L. Sharpe on 8/3/2007. (jel, ) (Entered: 08/03/2007)