

U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:00-cv-06106-JAG

ALI, et al v. EMERY WORLDWIDE, et al
Assigned to: Judge Joseph A. Greenaway, Jr.
Demand: \$0
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 12/18/2000
Date Terminated: 08/15/2002
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

SHAKIR ALI

represented by **HARRIET HEUER MILLER**
955 WEST SIDE AVENUE
JERSEY CITY, NJ 07306
(201) 333-3344
Email: miller@garden.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

ANTHONY BROWN

represented by **HARRIET HEUER MILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

SEAN MARSHALL

represented by **HARRIET HEUER MILLER**
(See above for address)
LEAD ATTORNEY
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Plaintiff

SAMUEL REMBERT

represented by **HARRIET HEUER MILLER**
(See above for address)
LEAD ATTORNEY
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Plaintiff

JOHN THIERSE

represented by **HARRIET HEUER MILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

IBRAHIMA TOURE

represented by **HARRIET HEUER MILLER**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**EMERY WORLDWIDE AIRLINES,
INC.**represented by **ALAN GUY LESNEWICH
FISHER & PHILLIPS
430 MOUNTAIN AVENUE
MURRAY HILL, NJ 07974
(908) 516-1050
Fax: (908) 516-1051
LEAD ATTORNEY
ATTORNEY TO BE NOTICED****Defendant****CNF, INC.
TERMINATED: 05/07/2002**represented by **ALAN GUY LESNEWICH
(See above for address)
TERMINATED: 05/07/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED****Plaintiff****JEANPAUL HEATH**represented by **HARRIET HEUER MILLER
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/18/2000	1	COMPLAINT filed; jury demand FILING FEE \$ 150.00; Receipt No. 286079 (DS) (Entered: 12/27/2000)
12/27/2000	2	NOTICE of Allocation and Assignment filed. Magistrate Judge G. Donald Haneke (DS) (Entered: 12/27/2000)
12/27/2000		SUMMONS(ES) issued for EMERY WORLDWIDE (20 Days) (Mailed to Counsel) (DS) (Entered: 12/27/2000)
01/10/2001	3	AMENDED COMPLAINT w/jury demand by SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE , amending [1-1] complaint against JEANPAUL HEATH (DD) (Entered: 01/10/2001)
01/10/2001	4	CERTIFICATION of HARRIET HEUER MILLER on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: [3-1] amended complaint (DD) (Entered: 01/10/2001)
01/10/2001	5	CERTIFICATE OF SERVICE by pltf's., SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE of Amended Cmp. & certf. of Harriet Heuer Miller (DD) (Entered: 01/10/2001)
01/24/2001	6	ANSWER by EMERY WORLDWIDE to amended complaint; jury demand; w/cert. of serv. (DD) (Entered: 01/24/2001)
02/16/2001		SUMMONS(ES) issued for CNF, INC. (20 Days) (Mailed to Counsel) (jd) (Entered: 02/16/2001)
02/26/2001	7	Notice of Intent to submit a Dispositive motion for summary judgment by EMERY

		WORLDWIDE, CNF, INC. (DD) (Entered: 02/26/2001)
03/12/2001	8	CONSENT ORDER that Pltf's opposition to defts' pending Motion for Partial Summary Judgment is due on or before 4/2/01 (signed by Judge Joseph A. Greenaway, Jr.) n/m (DD) (Entered: 03/13/2001)
04/06/2001	9	RETURN OF SERVICE executed as to EMERY WORLDWIDE 1/3/01 Answer due on 1/23/01 for EMERY WORLDWIDE (DD) (Entered: 04/06/2001)
04/06/2001	10	RETURN OF SERVICE executed on Amended Cmp. as to CNF, INC. 3/6/01 Answer due on 3/26/01 for CNF, INC. (DD) (Entered: 04/06/2001)
04/09/2001	11	Notice of MOTION for partial summary judgment by EMERY WORLDWIDE, CNF, INC., Motion set for 5/14/01 on [7-1] dispositive motion notice for summary judgment ; w/cert. of serv. (Brief/PO Subm) (DD) (Entered: 04/12/2001)
04/09/2001	12	CERTIFICATION of DONNA duBETH GARDINER w/attached exhibits A-J on behalf of EMERY WORLDWIDE, CNF, INC. Re: [11-1] dispositive motion for partial summary judgment (DD) (Entered: 04/12/2001)
04/09/2001	13	CERTIFICATION of HARRIET HEUER MILLER on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: in opposition to [11-1] dispositive motion for partial summary judgment (DD) (Entered: 04/12/2001)
04/09/2001	14	SUPPLEMENTAL CERTIFICATION of HARRIET HEUER MILLER on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: in opposition to [11-1] dispositive motion for partial summary judgment (DD) (Entered: 04/12/2001)
04/09/2001	15	CERTIFICATE OF SERVICE by SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE of Memorandum of Law, Certf., Statement of Uncontested Facts & Suppl. Certf. (DD) (Entered: 04/12/2001)
04/09/2001	16	SUPPLEMENTAL CERTIFICATION of DONNA duBETH GARDINER w/attached exhibits A-B on behalf of EMERY WORLDWIDE, CNF, INC. Re: [11-1] dispositive motion for partial summary judgment; w/cert. of serv. {Brief subm} (DD) (Entered: 04/12/2001)
04/09/2001	17	CERTIFICATION of ANDREW M. BARTOS, III on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: [11-1] dispositive motion for partial summary judgment (DD) (Entered: 04/12/2001)
04/09/2001	18	Notice of MOTION for sanctions by EMERY WORLDWIDE, CNF, INC., Motion set for 5/14/01 on [18-1] motion ; w/cert. of serv. (Brief/PO Subm) (DD) (Entered: 04/12/2001)
04/09/2001	19	CERTIFICATION of DONNA duBETH GARDINER w/attached exhibits A-I on behalf of EMERY WORLDWIDE, CNF, INC. Re: [18-1] motion for sanctions (DD) (Entered: 04/12/2001)
05/04/2001	20	CERTIFICATE OF SERVICE by EMERY WORLDWIDE, CNF, INC. Service of Reply Brief in Further Support of Defts' Motion for Sanctions (DD) (Entered: 05/08/2001)
07/17/2001	21	Minute entry: Proceedings recorded by Ct-Reporter: NONE; Minutes of: 7/17/01; The following actions were taken, SETTLEMENT CONFERENCE. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 07/18/2001)
08/02/2001	22	ORDER, set scheduling conference for 11:00 9/11/01 (signed by Mag. Judge G. D.

		Haneke) (nc) (Entered: 08/03/2001)
08/07/2001	23	ANSWER to Complaint by EMERY WORLDWIDE; w/cert. of serv. (DD) (Entered: 08/07/2001)
08/09/2001	24	AMENDED ANSWER to Complaint by EMERY WORLDWIDE : amends [23-1] answer; w/cert. of serv. (DD) (Entered: 08/09/2001)
08/17/2001	25	Minute entry: Proceedings recorded by Ct-Reporter: NONE; Minutes of: 8/17/01; The following actions were taken, STATUS-CONFERENCE (Telephone) The case will be consolidated w/case 01-cv-3159 (JAG) for discovery purposes only. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 08/17/2001)
09/07/2001	26	Minute entry: Proceedings recorded by Ct-Reporter: NONE; Minutes of: 9/7/01; The following actions were taken, STATUS CONFERENCE (Telephone). The Court will rule on the pending motions for partial summary judgment & sanctions. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 09/07/2001)
09/26/2001	27	AMENDED ORDER, consolidating cases civ. 01-3159 & 01-3724 for all pre-trial purposes only under civ. 00-6106 (signed by Judge Joseph A. Greenaway, Jr.) n/m (DD) (Entered: 09/26/2001)
11/16/2001	28	Notice of MOTION for continuance of summary judgment to permit discovery by SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE, Motion set for 12/10/01 on [28-1] motion ; w/cert. of serv. (Brief/PO Subm) (DD) (Entered: 12/04/2001)
12/11/2001	29	DECLARATION of ALAN G. LESNEWICK on behalf of EMERY WORLDWIDE in opposition to Re: [28-1] motion for continuance of summary judgment to permit discovery (nr) (Entered: 12/12/2001)
12/11/2001	30	CERTIFICATE OF SERVICE of copies of copy of letter brief, certification (nr) (Entered: 12/12/2001)
12/18/2001	31	ORDER, for MICHAEL C. HALLERUD, ESQ. to appear pro hac vice (signed by Judge Joseph A. Greenaway, Jr.) n/m (DD) (Entered: 12/20/2001)
12/18/2001	33	Minute entry: Proceedings recorded by Ct-Reporter: TOM BRAZAITIS; Minutes of: 12/18/01; The following actions were taken, Hrg. on the defts., motions for partial summary judgment & sanctions. ORDERED motions denied w/out prejudice. ORDERED motion for summary judgment on pltf. Ali's title 7 claims granted. Limited disc. on jurisdiction. Hrg. scheduled for 3/11/02 at 11:00 a.m. (Telephone) Pltfs. settlement demand shall be subm. to deft. by 1/15/02. Fact Disc. ends on 9/3/02. (No extensions) Status Conf. are set for 4/24/02 & 9/10/02 at 9:00 a.m. OTBS. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 12/28/2001)
12/27/2001	32	ORDER granting [28-1] motion for continuance of summary judgment to permit discovery denying [18-1] motion for sanctions granting [11-1] dispositive motion for partial summary judgment etc.(signed by Judge Joseph A. Greenaway, Jr.) n/m (cs) (Entered: 12/27/2001)
01/10/2002	34	Notice of MOTION for protective order by EEOC , proof of service. Motion set for 2/11/02 on [34-1] motion . (Brief/PO Subm) (nr) (Entered: 01/11/2002)
01/10/2002	35	AFFIDAVIT of ANN THACHER ANDERSON on Re: [34-1] motion for protective order by EEOC (nr) (Entered: 01/11/2002)
02/07/2002	36	CONSENT ORDER granting [28-1] motion for continuance of summary judgment to permit discovery, denying [11-1] dispositive motion for partial summary judgment (signed

		by Judge Joseph A. Greenaway, Jr.) n/m (DD) (Entered: 02/08/2002)
02/15/2002	37	Notice of MOTION for sanctions against deft., CNF INC. for refusal to comply w/2/7/02 Consent Order by SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE, Motion set for 3/11/02 on [37-1] motion ; w/cert. of serv. (Brief/PO Subm) (DD) Modified on 02/15/2002 (Entered: 02/15/2002)
02/15/2002	38	CERTIFICATION of JEANPAUL HEATH on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: [37-1] motion for sanctions (DD) (Entered: 02/15/2002)
02/15/2002	39	CERTIFICATION of anthony brown on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: [37-1] motion for sanctions (DD) (Entered: 02/15/2002)
02/15/2002	40	CERTIFICATION of HARRIET HEUER MILLER w/attached exhibits A-V on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: [37-1] motion for sanctions (DD) (Entered: 02/15/2002)
03/25/2002	43	CERTIFICATE OF SERVICE by EMERY WORLDWIDE, CNF, INC. Service Re: Supplemental Brief in Support of Motion for Summary Judgment [42-1] certification, [41-1] declaration (DD) (Entered: 04/01/2002)
03/28/2002	41	DECLARATION of ALAN G. LESNEWICH, ESQ. w/attached exhibits A-H on behalf of EMERY WORLDWIDE, CNF INC. Re: in further support of CNF's Motion to Dismiss for Lack of Personal Jurisdiction or, in the alternative for Summary Judgment (DD) Modified on 04/01/2002 (Entered: 04/01/2002)
03/28/2002	42	CERTIFICATION of DAVID B. ANDERSON w/attached exhibits A-B on behalf of EMERY WORLDWIDE, CNF INC. Re: in further support of of CNF's Motion to Dismiss for Lack of Personal Jurisdiction or, in the alternative for Summary Judgment (DD) Modified on 04/01/2002 (Entered: 04/01/2002)
04/02/2002	44	Notice of CROSS MOTION in opposition to Motion for a Protective Order & to Compel further response to initial interrogatories, deposition testimony & doc. production & Motion for Sanctions by EMERY WORLDWIDE, Motion set for 5/13/02 on [44-1] cross motion ; w/cert. of serv. {Brief/PO subm} (DD) (Entered: 04/08/2002)
04/02/2002	45	DECLARATION of ALAN G. LESNEWICH, ESQ. w/attached exhibits A-QQ on behalf of EMERY WORLDWIDE Re: [44-1] cross motion in opposition to Motion for a Protective Order & to Compel further response to initial interrogatories, deposition testimony & doc. production & Motion for Sanctions (DD) (Entered: 04/08/2002)
04/09/2002	46	CERTIFICATION of HARRIET HEUER MILLER w/attached exhibits 1-5 on behalf of SHAKIR ALI, ANTHONY BROWN, SEAN MARSHALL, SAMUEL REMBERT, JOHN THIERSE, IBRAHIMA TOURE Re: in support of personal jurisdiction (DD) (Entered: 04/09/2002)
04/15/2002	47	SUPPLEMENTAL DECLARATION of ALAN G. LESNEWICH, ESQ. w/attached exhibit A on behalf of EMERY WORLDWIDE, CNF, INC. Re: in reply to Pltfs' Obj. to Deft., CNF's Statement of Uncontroverted Facts on the Issue of Personal Jurisdiction (DD) Modified on 04/15/2002 (Entered: 04/15/2002)
04/15/2002	48	SUPPLEMENTAL CERTIFICATION of ANDREW M. BARTOS, III w/attached exhibits A-D on behalf of EMERY WORLDWIDE Re: in further support of Deft., CNF's Motion for Partial Summary Judgment (DD) (Entered: 04/15/2002)

04/15/2002	49	SUPPLEMENTAL CERTIFICATION of DAVID B. ANDERSON w/attached exhibits A-B on behalf of EMERY WORLDWIDE (DD) (Entered: 04/15/2002)
04/17/2002	50	Minute entry: Proceedings recorded by Ct-Reporter: NONE; Minutes of: 4/17/02; The following actions were taken, STATUS CONFERENCE - Hrg. on the jurisdiction issue is set for 4/24/02 at 2:30 p.m. Hrg. on the motion for protective order & cross motion for sanction is set for 5/17/02 at 9:30 a.m. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 04/19/2002)
04/19/2002	51	DISCOVERY SCHEDULING ORDER, set scheduling order deadlines: Discovery deadline on 9/3/02 , set discovery hearing for 4:00 4/24/02 , set dispositive motion for 4:00 9/10/02 ; etc. (signed by Judge Joseph A. Greenaway, Jr.) (NM) (DD) (Entered: 04/19/2002)
04/22/2002	52	SUPPLEMENTAL CERTIFICATION of DAVID B. ANDERSEN on behalf of CNF, INC. (DD) (Entered: 04/22/2002)
04/24/2002	53	Minute entry: Proceedings recorded by Ct-Reporter: TOM BRAZAITIS; Minutes of: 4/24/02; The following actions were taken, Hrg. on deft., CNF, Inc. motion to dismiss the cmp. for jurisdiction. ORDERED motion granted. Opinion read into the record. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 05/03/2002)
05/07/2002	54	ORDER, dismissing action as to deft., CNF INC. for lack of personal jurisdiction; w/prejudice ; denying as moot deft., CNF INC.'s Motion for Summary Judgment; directing deft., EMERY WORLDWIDE AIRLINES, INC. (EWA) to produce a copy of the first Personnel Handbook used at the Kearny, NJ Priority Mail Processing Center while EWA was operating that facility, no later than 5/15/02 (signed by Judge Joseph A. Greenaway, Jr.) (NM) (DD) (Entered: 05/07/2002)
05/15/2002	55	CERTIFICATION of CHRISTOPHER H. MILLS, ESQ. w/attached exhibits A-X on behalf of EMERY WORLDWIDE Re: [44-1] cross motion in opposition to Motion for a Protective Order & to Compel further response to initial interrogatories, deposition testimony & doc. production & Motion for Sanctions (DD) (Entered: 05/16/2002)
05/17/2002	56	Minute entry: Proceedings recorded by Ct-Reporter: TOM BRAZAITIS; Minutes of: 5/17/02; The following actions were taken, CASE MANAGEMENT CONFERENCE - Pltf. EEOC sur-reply brief & additional documents will be subm. by 5/24/02. Oral argument on all pending motions is set for 6/6/02 at 2:30 p.m. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 05/20/2002)
05/24/2002	57	CONSENT ORDER, for protective order (signed by Judge Joseph A. Greenaway, Jr.) (NM) (DD) (Entered: 05/28/2002)
06/06/2002	58	Minute entry: Proceedings recorded by Ct-Reporter: TOM BRAZAITIS; Minutes of: 6/6/02; The following actions were taken, [37-1] motion for sanctions against deft., CNF INC. for refusal to comply w/2/7/02 Consent Order. Hrg. on motion to be continued. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 06/07/2002)
06/06/2002	59	Minute entry: Proceedings recorded by Ct-Reporter: TOM BRAZAITIS; Minutes of: 6/6/02; The following actions were taken, [44-1] cross motion in opposition to Motion for a Protective Order & to Compel further response to initial interrogatories, deposition testimony & doc. production & Motion for Sanctions. Hrg. on motion to be continued. By Judge Joseph A. Greenaway, Jr. (DD) (Entered: 06/07/2002)
08/14/2002	60	ORDER, dismissing action as settled, w/out prejudice and w/out costs (signed by Judge Joseph A. Greenaway, Jr.) (NM) (jd) (Entered: 08/15/2002)
08/15/2002		Case closed (jd) (Entered: 08/15/2002)

09/23/2002	61	STIPULATION and ORDER, dismissing action in its entirety, w/prejudice (signed by Judge Joseph A. Greenaway, Jr.) (NM) (DD) (Entered: 09/24/2002)
09/25/2002	62	STIPULATION and ORDER, dismissing action as to pltf., SHAKIR BILAL ALI (signed by Judge Joseph A. Greenaway, Jr.) (NM) (DD) (Entered: 09/25/2002)
12/04/2003		Deadline updated; terminating [11-2] hearing Motion set for 5/14/01 on [7-1] dispositive motion notice for summary judgment (ps) (Entered: 12/04/2003)
