

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-09131-PAC

Rosenberg et al v. IKON Office Solutions, Inc.
Assigned to: Judge Paul A. Crotty
Demand: \$9,999,000
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 10/26/2005
Date Terminated: 05/11/2007
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

St. Clare Rosenberg
*individually and on behalf of a class of all
other persons similarly situated*

represented by **Jeremy Heisler**
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Plaintiff

Wayne Anderson
*individually and on behalf of a class of all
other persons similarly situated*

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Steven Lance Wittels
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David Sanford
(See above for address)

Plaintiff

Edward Anderson
*Individually and on behalf of a class of all
other persons similarly situated*

represented by **Jeremy Heisler**
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LEAD ATTORNEY
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David Sanford
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Plaintiff

Charles Washington

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Steven Lance Wittels
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V.

Defendant

IKON Office Solutions, Inc.

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Date Filed	#	Docket Text
10/26/2005	<u>1</u>	COMPLAINT against IKON Office Solutions, Inc.. (Filing Fee \$ 250.00, Receipt Number 559520)Document filed by St. Clare Rosenberg, Wayne Anderson.(kco,) Additional attachment(s) added on 10/27/2005 (lb,). (Entered: 10/27/2005)
10/26/2005		SUMMONS ISSUED as to IKON Office Solutions, Inc.. (kco,) (Entered: 10/27/2005)
10/26/2005		Magistrate Judge Henry B. Pitman is so designated. (kco,) (Entered: 10/27/2005)

10/26/2005		Case Designated ECF. (kco,) (Entered: 10/27/2005)
02/02/2006	<u>2</u>	ENDORSED LETTER addressed to Judge Crotty from Jeremy Heisler dated 02/01/2006 re: The parties request a stay until 03/31/2006. ENDORSEMENT: The Court is prepared to enter a stay upon either proof of service on defendants or an explanation of why service has not been made. So Ordered. (Signed by Judge Paul A. Crotty on 02/02/2006) (mov,) (Entered: 02/02/2006)
02/07/2006	<u>3</u>	CERTIFICATE OF SERVICE of Letter to The Honorable Paul A. Crotty Requesting Stay of Proceedings served on IKON Office Solutions, Inc. on 02/01/06. Service was made by Mail. Document filed by St. Clare Rosenberg. (Wittels, Steven) (Entered: 02/07/2006)
02/10/2006	<u>4</u>	CERTIFICATE OF SERVICE of Summons and Complaint. IKON Office Solutions, Inc. served on 2/10/2006, answer due 3/2/2006. Service was made by Mail. Document filed by St. Clare Rosenberg. (Wittels, Steven) (Entered: 02/10/2006)
03/30/2006	<u>5</u>	JOINT STIPULATION: It is hereby stipulated and agreed that the defendant agrees to accept service of plaintiff's complaint effective 2/16/2006, provided that defendant's time to answer or otherwise respond to plaintiffs' complaint is stayed during the pendency of the parties' ongoing settlement discussions... (Signed by Judge Paul A. Crotty on 3/28/2006) (lb,) (Entered: 03/31/2006)
08/03/2006	<u>6</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint against IKON Office Solutions, Inc. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. Related document: <u>1</u> Complaint filed by Wayne Anderson, St. Clare Rosenberg. (jco,) Additional attachment(s) added on 8/11/2006 (jco,). (Entered: 08/11/2006)
12/08/2006	<u>7</u>	JOINT STIPULATION AND ORDER the parties agree to engage in settlement discussions on an expedited basis, and that such discussions will conclude within ninety (90) days of the date that this joint Stipulation is approved by the Court ("Settlement End Date"). In the event that settlement is not reached on or before the Settlement End Date, the stay entered on March 31, 2006 (Docket No. 5) will be lifted on that date, and IKON will answer, move or otherwise respond to the Amended Complaint within ninety (90) days after the Settlement End Date. (Signed by Judge Paul A. Crotty on 12/8/2006) (jmi,) (Entered: 12/11/2006)
05/11/2007	<u>8</u>	ORDER OF DISCONTINUANCE: this action is discontinued, without costs to either party. (Signed by Judge Paul A. Crotty on 5/11/07) (db) (Entered: 05/14/2007)
06/06/2007	<u>9</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Michael S. Burkhardt dated 6/6/2007 re: to IKON hereby requests an extension of thirty (30) days from the date set forth in the Order to consummate settlement. The parties expect that the settlement agreement will be finalized for Your Honor's approval on or before July 11, 2007. ENDORSEMENT: IKON hereby requests an extension of thirty (30) days from the date set forth in the Order to consummate settlement. Application GRANTED SO ORDERED. (Signed by Judge Paul A. Crotty on 6/6/2007) (jmi) (Entered: 06/07/2007)
07/10/2007	<u>10</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Jeremy Heisler dated 7/9/2007 re: request that the Court extend the deadline for the parties to consummate the settlement an additional twelve (12) days, until 7/23/2007. ENDORSEMENT: Application granted. (Signed by Judge Paul A. Crotty on Paul A. Crotty) (jar) (Entered: 07/11/2007)
07/23/2007	<u>11</u>	NOTICE OF APPEARANCE by Michael Jonathan Puma on behalf of IKON Office Solutions, Inc. (Puma, Michael) (Entered: 07/23/2007)

07/24/2007	<u>12</u>	STATUS REPORT. <i>Letter to Judge re settlement documents</i> Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson.(Wittels, Steven) (Entered: 07/24/2007)
07/24/2007	<u>13</u>	ENDORSED LETTER addressed to Judge Crotty from Jeremy Heisler, Esq dated 07/24/2007 re: extension to file settlement agreement and related documents with the Court no later than tomorrow, July 25, 2007.. ENDORSEMENT: Application GRANTED. (Signed by Judge Paul A. Crotty on 07/24/2007) (mov) (Entered: 07/24/2007)
07/25/2007	<u>14</u>	JOINT MOTION for Hearing <i>regarding Preliminary Approval of Settlement</i> . Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Attachments: # <u>1</u> Exhibit Settlement Agreement# <u>2</u> Exhibit Claim Form# <u>3</u> Exhibit Notice# <u>4</u> Text of Proposed Order)(Wittels, Steven) (Entered: 07/25/2007)
07/26/2007	<u>15</u>	NOTICE OF APPEARANCE by Michael Jonathan Puma on behalf of IKON Office Solutions, Inc. (Puma, Michael) (Entered: 07/26/2007)
07/26/2007	<u>16</u>	SETTLEMENT AGREEMENT. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson.(Wittels, Steven) (Entered: 07/26/2007)
08/20/2007		Calendar Entry (set via e-mail by Chambers – Marlon Ovalles – C.R.D): Preliminary Fairness Hearing set for 8/27/2007 at 02:00 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (mov) (Entered: 08/20/2007)
08/23/2007	<u>17</u>	NOTICE OF APPEARANCE by Michael Jonathan Puma on behalf of IKON Office Solutions, Inc. (Puma, Michael) (Entered: 08/23/2007)
08/26/2007		Calendar Update (CANCELLATION): Preliminary Fairness Hearing previously set for Monday, August 27, 2007 at 02:00 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty is CANCELLED. All counsel will be contacted via e-mail by Marlon Ovalles, Courtroom Deputy, with a new date for the Hearing. Please contact Judge Crottys Individual Practices (www.nysd.uscourts.gov) for communications with Chambers (– Marlon Ovalles – C.R.D). (Entered: 08/26/2007)
08/28/2007		Calendar Entry: (reset via e-mail by Chambers – Marlon Ovalles – C.R.D): Preliminary Fairness Hearing set for 9/5/2007 at 02:00 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (mov) (Entered: 08/28/2007)
09/05/2007		Minute Entry for proceedings held before Judge Paul A. Crotty : Plaintiffs additional briefing on the settlement due by Monday, September 10, 2007. A response by defendant due by Friday, September 14, 2007. The next conference will take place on Wednesday, September 19, 2007 at 11:30 a.m. See transcript for complete details of this proceeding (Court Reporter – Denise Richards). Visit Judge Crottys Individual Practices with respect to communications with Chambers. Preliminary Fairness Hearing held on 9/5/2007. (mov) (Entered: 09/05/2007)
09/05/2007		Set Deadlines/Hearings: Status Conference set for 9/19/2007 at 11:30 AM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (mov) (Entered: 09/05/2007)
09/12/2007	<u>18</u>	ENDORSED LETTER addressed to Judge Crotty from Jeremy Heisler dated 09/10/2007 re: until 09/24/2007 to submit further papers in support of preliminary approval... ENDORSEMENT: Application GRANTED. Defendant's response by 09/28/2007.

		Conference on Thurs 10/04/2007 at 3:00 p.m. So ordered.Status Conference set for 10/4/2007 at 03:00 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (mov) (Entered: 09/12/2007)
09/14/2007		Calendar Entry (set via e-mail by Chambers – Marlon Ovalles – CRD): 10/04/2007 conference adjourned to 10/11/2007 at 01:45 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. Defendant's response to Plaintiff's 09/24/2007 submission due on 10/02/2007. (mov) (Entered: 09/14/2007)
09/24/2007		Calendar Entry (Re-set via e-mail by Chambers – Marlon Oalles – CRD): Preliminary Fairness Hearing set for 10/18/2007 at 03:00 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty not 10/11/2007. (mov) (Entered: 09/24/2007)
09/26/2007	<u>19</u>	ENDORSED LETTER addressed to Judge Paul A. Crotty from Jeremy Heisler dated 9/24/07 re: counsel for plaintiffs request until 10/3/07 to submit further papers in support of preliminary approval and until 10/11/07 for dft to reply to plaintiff's supplemental papers. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge Paul A. Crotty on 9/26/07) (dle) (Entered: 09/26/2007)
10/01/2007	<u>20</u>	NOTICE OF APPEARANCE by Theresa J. Chung on behalf of IKON Office Solutions, Inc. (Chung, Theresa) (Entered: 10/01/2007)
10/03/2007	<u>21</u>	BRIEF re: <u>16</u> Settlement Agreement. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Attachments: # <u>1</u> Letter# <u>2</u> Declaration# <u>3</u> Affidavit # <u>4</u> Affidavit # <u>5</u> Affidavit # <u>6</u> Declaration# <u>7</u> Certificate of Service)(Wittels, Steven) (Entered: 10/03/2007)
10/04/2007	<u>22</u>	BRIEF re: <u>21</u> Brief, <i>providing supplementary material regarding the revised proposed settlement agreement</i> . Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Attachments: # <u>1</u> Affidavit of St. Clare Rosenberg# <u>2</u> Affidavit of Wayne Anderson# <u>3</u> Declaration of Charles Washington# <u>4</u> Revised Proposed Settlement Agreement# <u>5</u> Proposed Notice of Settlement# <u>6</u> Claim Form)(Wittels, Steven) (Entered: 10/04/2007)
10/11/2007	<u>23</u>	BRIEF re: <u>21</u> Brief, <i>Defendant's Response to Plaintiff's Memorandum</i> . Document filed by IKON Office Solutions, Inc..(Chung, Theresa) (Entered: 10/11/2007)
10/18/2007		Minute Entry for proceedings held before Judge Paul A. Crotty: Preliminary Settlement approved. Counsel shall meet and confer and resubmit a proposed order. The final approval hearing will go forward on Tuesday, January 22, 2008 at 2:45 p.m in Courtroom 20-C. See transcript for complete details of this proceeding. Court Reporter Pamela Utter. Preliminary Settlement Approval Hearing held on 10/18/2007. Final Settlement Approval Hearing set for 1/22/2008 at 02:45 PM in Courtroom 20C, 500 Pearl Street, New York, NY 10007 before Judge Paul A. Crotty. (mov) (Entered: 10/18/2007)
10/23/2007	<u>24</u>	MOTION for David Sanford to Appear Pro Hac Vice. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (jco) (Entered: 10/25/2007)
10/25/2007		CASHIERS OFFICE REMARK on <u>24</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 10/23/2007, Receipt Number 630951. (jd) (Entered: 10/25/2007)
10/29/2007	<u>25</u>	ORDER granting <u>24</u> Motion for David W. Sanford to Appear Pro Hac Vice as counsel for plaintiffs. (Signed by Judge Paul A. Crotty on 10/29/07) (cd) (Entered: 10/30/2007)

10/29/2007		Transmission to Attorney Admissions Clerk. Transmitted re: <u>25</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd) (Entered: 10/30/2007)
10/30/2007	<u>26</u>	ORDER PRELIMINARILY APPROVING THE CLASS SETTLEMENT: the Court preliminarily approves the Settlement Agreement as being fair, reasonable and adequate, subject to the right of any Class member to challenge the fairness, reasonableness, or adequacy of the Settlement Agreement and to show cause, if any exists, why a final judgment dismissing the Action and all Released Claims and awarding compensation to Class Counsel, should not be entered after due and adequate notice to the Class and after a hearing on final approval as further set forth in said Order. A "Fairness Hearing" shall be held before this Court on 1/22/08 at 2:45 p.m. in Courtroom 20C, 500 Pearl Street, New York, New York before Judge Paul A. Crotty. (Signed by Judge Paul A. Crotty on 10/29/07) (db) (Entered: 10/30/2007)
01/17/2008	<u>27</u>	FILING ERROR – WRONG DOCUMENT TYPE SELECTED FROM MENU – NOTICE of of Motion for Final Approval of Class Action Settlement and Related Relief. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) Modified on 1/18/2008 (kco). (Entered: 01/17/2008)
01/17/2008	<u>28</u>	FILING ERROR – WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY – FINAL MOTION for Settlement <i>Approval</i> . Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. Return Date set for 1/22/2008 at 02:45 PM.(Wittels, Steven) Modified on 1/18/2008 (kco). (Entered: 01/17/2008)
01/17/2008	<u>29</u>	FILING ERROR – WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY – DECLARATION of Claims Administrator Cathy Dales in Support re: <u>28</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) Modified on 1/18/2008 (kco). (Entered: 01/17/2008)
01/18/2008	<u>30</u>	FINAL MOTION for Settlement <i>Approval</i> . Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. Return Date set for 1/22/2008 at 02:45 PM. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order Judgment and Order of Dismissal with Prejudice)(Wittels, Steven) (Entered: 01/18/2008)
01/18/2008	<u>31</u>	DECLARATION of David Sanford and Jeremy Heisler in Support re: <u>30</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Attachments: # <u>1</u> Exhibit A–D, # <u>2</u> Exhibit E–J)(Wittels, Steven) (Entered: 01/18/2008)
01/18/2008	<u>32</u>	FILING ERROR – WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY – DECLARATION of Cathy Dales in Support re: <u>30</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) Modified on 1/18/2008 (kco). (Entered: 01/18/2008)
01/18/2008	<u>33</u>	MEMORANDUM OF LAW in Support re: <u>30</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) (Entered: 01/18/2008)
01/18/2008	<u>34</u>	FILING ERROR – WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY –DECLARATION of Claims Administrator

		Cathy Dales in Support re: <u>30</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) Modified on 1/29/2008 (kco). (Entered: 01/18/2008)
01/18/2008	<u>35</u>	DECLARATION of Claims Administrator Kathy Dales in Support re: <u>30</u> FINAL MOTION for Settlement <i>Approval</i> .. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson. (Wittels, Steven) (Entered: 01/18/2008)
01/22/2008	<u>36</u>	JUDGMENT #08,0097 in favor of St. Clare Rosenberg against IKON Office Solutions, Inc. in the amount of \$ 60,000.00; in favor of Wayne Anderson against IKON Office Solutions, Inc. in the amount of \$ 40,000.00; in favor of Charles Washington against IKON Office Solutions, Inc. in the amount of \$ 30,000.00; in favor of Edward Anderson against IKON Office Solutions, Inc. in the amount of \$ 45,000.00; and in favor of Settlement Class Counsel against IKON Office Solutions, Inc. in the amount of \$ 399,983.81 for attorneys' fees and \$36,516.19 for costs. (Signed by Judge Paul A. Crotty on 1/22/08) (Attachments: # <u>1</u> NOTICE OF RIGHT TO APPEAL)(ml) (Entered: 01/24/2008)
01/25/2008	37	LETTER addressed to Judge Paul A. Crotty from Theresa J. Chung dated 11/6/07 re: Counsel for Defendant enclose with this letter FedEx receipts confirming the delivery of CAFA notices to the U.S. State Attorney General and the New York Attorney General. Document filed by IKON Office Solutions, Inc.(tro) (Entered: 01/25/2008)
01/25/2008	38	LETTER addressed to Judge Paul A. Crotty from Jeremy Heisler dated 1/17/08 re: Plaintiffs hereby submit by ECF their Motion in Support of Final Approval of the class action settlement and related relief. In conformity with the Settlement Agreement, counsel separately filed the Declaration of Claims Administrator regarding regularity of mailing. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson.(tro) (Entered: 01/25/2008)
01/25/2008	39	LETTER (DUPLICATE ORIGINAL (FAX)) addressed to Judge Paul A. Crotty from Theresa J. Chung dated 11/6/07 re: Counsel for Defendant enclose with this letter FedEx receipts confirming the delivery of CAFA notices to the U.S. State Attorney General and the New York Attorney General. Document filed by IKON Office Solutions, Inc. Document filed by Edward Anderson, Charles Washington, St. Clare Rosenberg, Wayne Anderson.(tro) (Entered: 01/25/2008)
01/30/2008	40	LETTER addressed to United States Atty General and New York General from Theresa J. Chung dated 10/31/07 re: Defendant IKON Office Solutions, Inc provides this updated notice of a proposed settlement in the above captioned class action purs to the Class Action Fairness of 2005. Document filed by IKON Office Solutions, Inc.(djc) (Entered: 02/04/2008)