
Pleadings

Sumitomo Shoji America, Inc. v. Avagliano, 457
US 176 - Supreme Court 1982

1-9-1987

Stipulation and Order re: Conference Dates

Lewis M. Steel '63

RECEIVED SEP -24 1986

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

LISA M. AVAGLIANO, et al., :

Plaintiffs, :

-against- :

SUMITOMO SHOJI AMERICA, INC., :

Defendant. :

-----X

PALMA INCHERCHERA, :

Plaintiff, :

-against- :

SUMITOMO CORP. OF AMERICA, :

Defendant. :

-----X

MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE:

It is hereby

ORDERED that the conference scheduled for September 23,
1986 at 10:00 A.M. is adjourned to Friday, October 10, 1986
at 2:00 P.M. in Room 503 of the United States Courthouse.

DATED: New York, New York
September 3, 1986

SO ORDERED.



MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE

Copies mailed this date to:

Lewis M. Steel, Esq.
Richard F. Bellman, Esq.
Steel & Bellman, P.C.
351 Broadway
New York, New York 10013

Gregory K. Hiestand, Esq.
William Milani, Esq.
Epstein, Becker, Borsody &
Green, P.C.
250 Park Avenue
New York, New York 10177-0077

Wender, Murase & White, Esq.
400 Park Avenue
New York, New York 10022

RECEIVED JUL 28 1986

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

LISA M. AVAGLIANO, et al., :

Plaintiffs, :

-against- :

SUMITOMO SHOJI AMERICA, INC., :

Defendant. :

-----X

PALMA INCHERCHERA, :

Plaintiff, :

-against- :

SUMITOMO CORP. OF AMERICA, :

Defendant. :

-----X

MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE:

ORDER

77 Civ. 5641 (CHT)

82 Civ. 4930 (CHT)

A pre-trial conference having been held with counsel
for the parties on July 25, 1986,

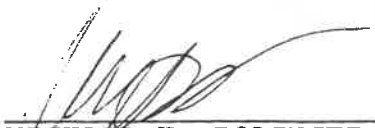
It is hereby ORDERED as follows:

1. The deadline for completion of all discovery is
extended to October 31, 1986.

2. A further settlement conference has been scheduled for September 23, 1986 at 10:00 A.M. in Room 503 of the United States Courthouse.

DATED: New York, New York
July 25, 1986

SO ORDERED.



MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE

Copies mailed this date to:

Lewis M. Steel, Esq.
Richard F. Bellman, Esq.
Steel & Bellman, P.C.
351 Broadway
New York, New York 10013

Gregory K. Hiestand, Esq.
William Milani, Esq.
Epstein, Becker, Borsody &
Green, P.C.
250 Park Avenue
New York, New York 10177-0077

Wender, Murase & White, Esq.
400 Park Avenue
New York, New York 10022

RECEIVED JUL 11 1986

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
LISA M. AVAGLIANO, et al., : 77 Civ. 5641 (CHT)
Plaintiffs, :
-against- : STIPULATION AND ORDER
SUMITOMO SHOJI AMERICA, INC. :
Defendant. :

-----x
PALMA INCHERCHERA, :
Plaintiff, : 82 Civ. 4930 (CHT)
-against- :
SUMITOMO CORP. OF AMERICA, :
Defendant. :

-----x

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the plaintiff classes ("plaintiffs' counsel") and the attorneys for the defendant as follows:

1. Defendant has discovered various documents contained in the personnel files of non-rotating staff other than those listed in paragraphs 4 and 5 of the Stipulation and Order dated October 24, 1985 ("Stipulation").

2. Pursuant to paragraph 8 of said Stipulation, counsel for the defendant has informed plaintiffs' counsel that miscellaneous documents contained in personnel files pertaining to defendant's non-rotating staff have been discovered.

3. The following documents in defendant's personnel files for the period December 1, 1974 to date relating to non-rotating staff personnel including both "exempt" and "non-exempt" employees will be produced to plaintiffs' counsel subject to the confidentiality order issued by Magistrate Harold J. Raby, dated November 7, 1984:

1. Attendance records, tardiness reports
2. Handwritten notes which generally appear to pertain to interviews, employee discipline, termination, work performance, etc. except for attorney-client privileged or attorney work product notes if any which shall be listed in an appropriate schedule consistent with the requirements of local civil court rule 46, effective June 1, 1985
3. Unemployment forms, determinations, requests for wage data and various correspondence related thereto
4. Interview/thank-you notes
5. SCOA I.D. Cards
6. Statement of benefits forms
7. Maternity Leave Policy form
8. Letters regarding employee performance
9. Applications for Approval relating to personnel matters
10. Overtime Records

11. Pension Plan Information
12. SCOA Annual Statement of Benefits forms
13. IRS documents (1040 forms)
14. Office salary charts
15. Payment vouchers
16. Payroll sheets
17. Check ledger
18. Immigration and Naturalization Service forms
19. Request for Verification of SCOA employment by potential employer/bank (redacted to exclude name of employer/bank)
20. Request for reference by SCOA from prior employer.

4. Plaintiffs' counsel agree to defer their request for the following documents which have been identified in defendant's personnel files for the period December 1, 1974 to date relating to non-rotating staff personnel, including both "exempt" and "non-exempt" employees, until after they have reviewed the documents to be produced pursuant to paragraph 3 of this Stipulation and Order or in accordance with the Order of the court if such is required.

1. Jury notices, requests to postpone
2. Disability Forms
3. Bank verification of signature forms
4. Housing Authority Applications

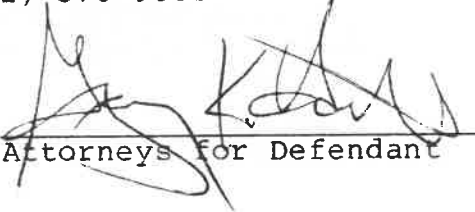
5. U.S. Treasurer check - xerox copies
6. Blue Cross/Blue Shield Forms
7. Leave/Absence Notes
8. Information submitted to government agencies re eligibility for welfare benefits.


5. Counsel for Defendant has discovered diverse documents written in the Japanese language. Defendant's counsel has also discovered documents pertaining to actual or threatened agency or court claims or litigation against or with SCOA other than those enunciated above. Such documents shall be discussed on a case by case basis at mutually convenient times and produced according to a separate agreement between the parties or in accordance with an order of the court if such is required.

Dated: New York, New York
June __, 1986

EPSTEIN BECKER BORSODY & GREEN, P.C.
250 Park Avenue
New York, New York 10017
(212) 370-9800

STEEL & BELLMAN, P.C.
351 Broadway
New York, New York 10013
(212) 925-7400

By: 
Attorneys for Defendant

By: 
Attorneys for Plaintiffs

Approved and so ordered:


MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE

Date: 7-8-86