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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ROBERT THORNTON, JULIA THORNTON,  
and JACKIE COSTA,

Plaintiffs,

- against -

NEW YORK ISLANDERS HOCKEY CLUB, L.P.,

Defendant.  
-----X

**JOINT  
PRETRIAL ORDER**

CV-05-5715 (LDW) (ARL)

WEXLER, District Judge:

The parties having conferred among themselves and with the Court pursuant to Rule 16 of the Federal Rules of Civil Procedure; now therefore, the following statements, directions and agreements are adopted as the Joint Pretrial Order in this matter:

**I. Caption**

The full caption of the action is stated as:

ROBERT THORNTON, JULIA THORNTON,  
and JACKIE COSTA,

Plaintiffs,

- against -

NEW YORK ISLANDERS HOCKEY CLUB, L.P.,

Defendant.

CV-05-5715  
(LDW) (ARL)

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**II. Trial Counsel**

1. Trial counsel for Plaintiffs is:

**REISMAN, PEIREZ & REISMAN, L.L.P.**

E. Christopher Murray (CM-8980)

1305 Franklin Avenue

PO Box 119

Garden City, New York 11530

(516) 746-7799

(516) 742-4946 (fax)

2. Trial counsel for Defendant is:

**NIXON PEABODY LLP**

Daniel A. Rizzi (DR-7153)

Tara Eyer Daub (TE-7943)

50 Jericho Quadrangle

Jericho, New York 11753-2728

(516) 832-7500

(516) 832-7555 (fax)

**III. Statement Pertaining to Trial**

1. Plaintiffs' statement: This case is to be tried with a jury. Plaintiffs estimate that the presentation of their case will take three (3) days.

2. Defendant's statement: Plaintiffs have demanded a jury trial. Defendant estimates that the cross-examination of Plaintiffs' witnesses and the presentation of its case will take four (4) days.

**IV. List of Fact Witnesses**

1. Plaintiffs' Witnesses:

a. Robert Thornton (in person)

b. Julia Thornton (in person)

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- c. Jackie Costa (in person)
- d. Jessica Sousa Tuttle (in person)
- e. Michael Picker (in person)
- f. Peter Gerardi (in person)
- g. Andrew S. Weber, M.D., F.C.C.P. (in person)
- h. John E. Rooney, M.D., Ph.D. (in person)

Plaintiff also respectfully reserves the right to call at trial witnesses not listed above for impeachment purposes.

2. Defendant's Witnesses:

- a. Theresa Dewar Doino (in person)
- b. Lawrence Fitzpatrick (in person)
- c. Jennifer Maksel (in person)
- d. Daniel Marshall (in person)
- e. Mary Molloy (in person)
- f. Michael Picker (in person)
- g. Jessica Sousa Tuttle (in person)
- h. Heather Umen (in person)
- i. Charles B. Wang (in person)
- j. Dori White (in person)

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Defendant also reserves the right to call any witnesses at trial listed by the Plaintiffs above. In addition, Defendant reserves the right to call at trial witnesses not listed above for impeachment purposes.

**V. Statement as to Expert Witnesses**

1. Plaintiffs' statement: Plaintiffs do not intend to present any expert witness.
2. Defendant's statement: Defendant does not intend to call any expert witnesses.

**VI. List of Exhibits**

Plaintiffs:

1. May 24, 2004 letter from Robert Thornton to Michael Picker
2. May 25, 2004 letter from Julia Thornton to Michael Picker
3. September 18, 2004 letter from Jackie Costa to Jessica Sousa Tuttle
4. September 21, 2004 letter from Jessica Sousa Tuttle to Jackie Costa
5. Statement of Michael Picker dated August 16, 2004
6. Three-page undated statement of Jessica Sousa Tuttle
7. June 4, 2004 letter from Theresa Dewer to Julia Thornton
8. 2004 joint tax return for Robert and Julia Thornton
9. Robert Thornton's commission statements from Avis Rent-A-Car
10. 2005 joint tax return for Charles and Jacqueline Costa
11. Resume of Robert Thornton
12. E-mail from Robert Thornton to [jsiegel@sporttimetsm.com](mailto:jsiegel@sporttimetsm.com) dated February 8, 2005

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13. E-mail from NY Times Job Market to Robert Thornton dated April 26, 2005
14. Letter from Tom Donaldson to Robert Thornton dated December 17, 2004
15. Letter from Anne Lo Monaco to Applicant dated March 23, 2005
16. E-Mail from Jet Blue to Robert Thornton dated September 2, 2004
17. Letter from Robert Thornton to Bridge Business & Property Brokers dated February 1, 2005
18. E-mail from American Express to Robert Thornton dated January 3, 2005
19. E-mail from Marsha Haygood to Robert Thornton dated February 11, 2005
20. E-mail from Heidi Golledge to Robert Thornton dated January 20, 2006
21. Letter from Prime Time Motor Sports to Robert Thornton dated November 10, 2005
22. Letter from Entrypoint to Robert Thornton dated April 29, 2005
23. E-mail from Resume Upload to Robert Thornton dated May 16, 2005
24. Application for Jetblue Airways
25. E-mail from Robert Thornton to Ann Lominac with response
26. Budget Agency Operator Application
27. Examination Application and Certification for Julia Thornton
28. Resume of Jacqueline Costa
29. 5-page handwritten notes of Jacqueline Costa re job search

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30. Letter from Jacqueline Costa to Andre dated January 30, 2005
31. 5 handwritten pages of notes and copy of classified page with handwritten notes of Jacqueline Costa re: job search


Defendant:

1. May 24, 2004 letter from Robert Thornton to Michael Picker.
2. May 25, 2004 letter from Julia Thornton to Michael Picker.
3. June 4, 2004 letter from Theresa Dewer to Julia Thornton.
4. September 18, 2004 letter from Jackie Costa to Jessica Sousa Tuttle.
5. September 21, 2004 letter from Jessica Sousa Tuttle to Jackie Costa.
6. Three-page undated statement of Jessica Sousa Tuttle.
7. Sections of the New York Islanders Hockey Club, L.P., Non-Player Personnel Policies and Procedures Manual respecting Defendant's equal employment opportunity, non-discrimination, and internal complaint policies and procedures.
8. Acknowledgement forms signed by each Plaintiff in July 2001 and in July 2003 reflecting their receipt of Defendant's Non-Player Personnel Policies and Procedures Manual.
9. Documents reflecting each Plaintiff's salary history while employed by Defendant.
10. Statistical information regarding pertinent Iceworks employees, including their dates of hire and age.

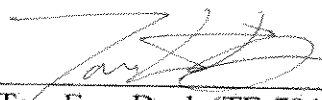
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Dated: January 19, 2007

**REISMAN, PEIREZ & REISMAN, L.L.P.**

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By:   
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(516) 832-7500

**SO ORDERED:**

\_\_\_\_\_  
Hon. Leonard D. Wexler  
United States District Judge