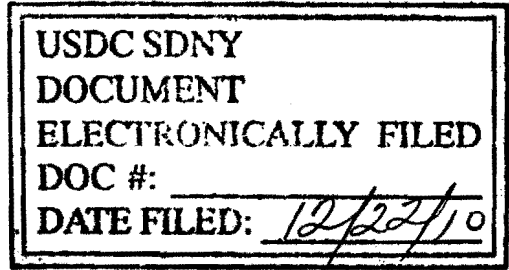


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
:  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION, :

Plaintiff, :

07-CV-8383 (LAP/HP)

v. :

BLOOMBERG L.P., :

**ORDER**

Defendant. :

----- X  
:  
JILL PATRICOT, TANYS LANCASTER, :  
JANET LOURES, MONICA PRESTIA, :  
MARINA KUSHNIR and MARIA :  
MANDALAKIS, :

Plaintiff-Intervenors, :

v. :

BLOOMBERG L.P., :

Defendant. :

----- X  
WHEREAS, Plaintiff the Equal Employment Opportunity Commission  
("EEOC"), filed this action against Defendant, Bloomberg L.P. ("Bloomberg"), on September  
27, 2007,

WHEREAS, Bloomberg filed, on April 23, 2010, Defendant's Motion for  
Summary Judgment as to Time-Barred Claims,

WHEREAS, this Court entered an Opinion & Order on October 25, 2010 (the “October Order”) granting Defendant’s Motion for Summary Judgment as to Time-Barred Claims,

WHEREAS, the October Order concluded that “[a]ny of the EEOC’s discrimination claims, whether based on section 706 or 707, that are based on conduct that happened prior to May 28, 2005, are time-barred[.]”

WHEREAS, the October Order dismissed all claims by or on behalf of claimants who “ended their employment relationships with Bloomberg prior to May 28, 2005” as time-barred,

WHEREAS, the October Order concluded that “[t]he EEOC’s suit contains thirty discrimination claimants . . . with allegations involving discrete acts that may have happened prior to May 28, 2005. Any of their claims based on such acts are time-barred and dismissed . . . .[.]”

WHEREAS, the October Order “[left] it to the parties to vet out the untimely claims[.]”

WHEREAS, the October Order noted that “[t]he EEOC is not barred, however, from using ‘prior acts as background evidence in support of a timely claim.’” (citation omitted),

WHEREAS, EEOC moved on November 1, 2010 for reconsideration and/or clarification of the Court’s October Order,

WHEREAS on December 2, 2010, the Court issued an order granting in part EEOC’s motion for reconsideration and/or clarification (“December Order”),

WHEREAS the December Order “exclude[d] from summary judgment claims based on compensation decisions that took place prior to May 28, 2005, pursuant to the Ledbetter Act.” (citation omitted),

It is hereby ORDERED, that any and all claims made in this action by or on behalf of the following claimants, all of whom ended their employment at Bloomberg before May 28, 2005, are dismissed as time-barred:

1. Maria Balzarano
2. Nakia Bonner
3. Kimberly Caruso
4. Lorna Drummond
5. Kristin Ix
6. Amy Leitner
7. Christie McDade
8. Liz Purcell
9. Tina Stage Rafalovich
10. Yvette Sanfilippo
11. Anupy Singla
12. Deborah Wentnick
13. Magdalena Winczura

It is further ORDERED, that the following discrimination claims, all of which are based on discrete acts that occurred before May 28, 2005, are dismissed as time barred:

1. Tamika Alexander-Abraham

a. EEOC's allegation that Tamika Alexander-Abraham was discriminated against in terms of increased travel requirements from 2003 through May 2005 is time-barred.

b. EEOC's allegation that Tamika Alexander-Abraham was discriminated against in terms of her performance evaluations in 2003 and 2004 is time-barred.

2. Marcia Barros

a. EEOC's allegation that Marcia Barros was discriminated against in terms of a transfer and demotion in 2004 is time-barred.

b. EEOC's allegation that Marcia Barros was discriminated against in terms of a negative performance evaluation in April 2005 is time-barred.

c. EEOC's allegation that Marcia Barros was discriminated against in terms of her client assignments from March to May 2005 is time-barred.

3. Sarita Bhat

a. EEOC's allegation that Sarita Bhat was discriminated against in terms of a denial of transfer in 2002 is time-barred.

b. EEOC's allegation that Sarita Bhat was discriminated against in terms of exclusion from projects in 2001 is time-barred.

c. EEOC's allegation that Sarita Bhat was discriminated against in terms of negative performance evaluations and ratings from 2001 through 2005 is time-barred.

d. EEOC's allegation that Sarita Bhat was discriminated against in terms of a threat of termination in 2004 is time-barred.

4. Vania Carvalhaes

a. EEOC's allegation that Vania Carvalhaes was discriminated against in terms of her job responsibilities and assignments in 2004 is time-barred.

5. Margarita Castro David

a. EEOC's allegation that Margarita Castro David was discriminated against in terms of negative performance evaluations from 2002 to 2005 is time-barred.

b. EEOC's allegation that Margarita Castro David was discriminated against in terms of denial of transfer and promotion in 2003 and denial of transfer in 2004 is time-barred.

c. EEOC's allegation that Margarita Castro David was discriminated against in terms of denial of training in 2002 is time-barred.

d. EEOC's allegation that Margarita Castro David was discriminated against in terms of reduced responsibilities in 2002 is time-barred.

6. Colleen Cutrupi

a. EEOC's allegation that Colleen Cutrupi was discriminated against in terms of denial of promotion in 2004 is time-barred.

7. Mary Dillard

a. EEOC's allegation that Mary Dillard was discriminated against in terms of denial of training in 2003 is time-barred.

8. Christina Orara Dodd

a. EEOC's allegation that Christina Orara Dodd was discriminated against in terms of denial of a promotion in April 2005 is time-barred.

9. Yelena Eisenhower

a. EEOC's allegation that Yelena Eisenhower was discriminated against in terms of receiving lower ratings from 2003 to 2005 is time-barred.

10. Sofia Fernandez

a. EEOC's allegation that Sofia Fernandez was discriminated against in terms of reduced responsibilities in 2004 is time-barred.

b. EEOC's allegation that Sofia Fernandez was discriminated against in terms of denial of a promotion in 2005 is time-barred.

11. Scarlet Fu

a. EEOC's allegation that Scarlet Fu was discriminated against in terms of reduced responsibilities in 2004 is time-barred.

12. Diane Hirsch

a. EEOC's allegation that Diane Hirsch was discriminated against in terms of a negative performance evaluation in April 2005 is time-barred.

b. EEOC's allegation that Diane Hirsch was discriminated against in terms of a performance plan in April 2005 is time-barred.

c. EEOC's allegation that Diane Hirsch was discriminated against in terms of a transfer and demotion in 2004 is time-barred.

d. EEOC's allegation that Diane Hirsch was discriminated against in terms of a lack of flexibility regarding scheduling in 2004 is time-barred.

e. EEOC's allegation that Diane Hirsch was discriminated against in terms of rejection of proposals for accommodations for her pregnancy in 2004 is time-barred.

13. Allyson Houchen

a. EEOC's allegation that Allyson Houchen was discriminated against in terms of a demotion in 2004 is time-barred.

14. Laura Hutchinson

a. EEOC's allegation that Laura Hutchinson was discriminated against in terms of a transfer in 2003 is time-barred.

b. EEOC's allegation that Laura Hutchinson was discriminated against in terms of longer hours requirements in 2000 and 2003 is time-barred.

c. EEOC's allegation that Laura Hutchinson was discriminated against in terms of negative performance evaluations from 2000 through 2004 is time-barred.

15. Sondra Kennedy

a. EEOC's allegation that Sondra Kennedy was discriminated against in terms of a reduction in responsibilities in 2002 and 2004 is time-barred.

16. Maria Leggett

a. EEOC's allegation that Maria Leggett was discriminated against in terms of a demotion and removal of responsibilities in 2004 is time-barred.

17. Deirdre Maloney

a. EEOC's allegation that Deirdre Maloney was discriminated against in terms of demotions in 2004 is time-barred.

b. EEOC's allegation that Deirdre Maloney was discriminated against in terms of reduction in responsibilities in 2003 and 2004 is time-barred.

18. Noelle McGowan

a. EEOC's allegation that Noelle McGowan was discriminated against in terms of a performance evaluation in 2004 is time-barred.

b. EEOC's allegation that Noelle McGowan was discriminated against in terms of a demotion in 2004 is time-barred.

c. EEOC's allegation that Noelle McGowan was discriminated against in terms of a transfer in 2004 is time-barred.

d. EEOC's allegation that Noelle McGowan was discriminated against in terms of decreased responsibilities in 2004 is time-barred.

e. EEOC's allegation that Noelle McGowan was discriminated against in terms of increased quota in 2004 is time-barred.

f. EEOC's allegation that Noelle McGowan was discriminated against in terms of a warning delivered in February 2005 regarding phone use is time-barred.

g. EEOC's allegation that Noelle McGowan was discriminated against in terms of exclusion from employment opportunities from 2004 through May 2005 is time-barred.

19. Melissa Mendel

a. EEOC's allegation that Melissa Mendel was discriminated against in terms of denial of unpaid leave related to childcare in March 2004 is time-barred.

b. EEOC's allegation that Melissa Mendel was discriminated against in terms of denial of the ability to work flexibly in 2003 or 2004 is time-barred.

c. EEOC's allegation that Melissa Mendel was discriminated against in terms of a demotion in 2002 is time-barred.

d. EEOC's allegation that Melissa Mendel was discriminated against in terms of a reduction in responsibility in 2002 is time-barred.

20. Kathleen O'Heron

a. EEOC's allegation that Kathleen O'Heron was discriminated against in terms of a negative performance evaluation and rating in 2004 is time-barred.

b. EEOC's allegation that Kathleen O'Heron was discriminated against in terms of a demotion in July 2003 is time-barred.

c. EEOC's allegation that Kathleen O'Heron was discriminated against in terms of reduced responsibilities in 2003 is time-barred.

21. Aimee Picchi

a. EEOC's allegation that Aimee Picchi was discriminated against in terms of denial of promotion from 2002 through May 2005 is time-barred.

b. EEOC's allegation that Aimee Picchi was discriminated against in terms of difficulty in obtaining additional leave time in 2004 is time-barred.

22. Margaret Popper

a. EEOC's allegation that Margaret Popper was discriminated against in terms of denial of promotion in 2004 is time-barred.

23. Sharon Rochford

b. EEOC's allegation that Sharon Rochford was discriminated against in terms of reduction in responsibility from February 2005 to May 28, 2005 is time-barred.

24. Stacey Ryczkowski

a. EEOC's allegation that Stacey Ryczkowski was discriminated against in terms of her performance evaluation in 2004 is time-barred.

25. Mary Beth Sandell

a. EEOC's allegation that Mary Beth Sandell was discriminated against in terms of a demotion in 2003 through March 2005 is time-barred.

c. EEOC's allegation that Mary Beth Sandell was discriminated against in terms of a reduction in responsibilities from 2002 through March 2005 is time-barred.

26. Christine Staiti

a. EEOC's allegation that Christine Staiti was discriminated against in terms of her January 2005 performance evaluation is time-barred.

27. Jennifer Sullivan

a. EEOC's allegation that Jennifer Sullivan was discriminated against in terms of denial of promotion in 2002 is time-barred.

b. EEOC's allegation that Jennifer Sullivan was discriminated against in terms of a demotion in 2002 is time-barred.

c. EEOC's allegation that Jennifer Sullivan was discriminated against in terms of exclusion from career advancing opportunities in 2002 and 2003 is time-barred. (Id. No. 5 at 128.)

28. Colleen Surlis McElroy

a. EEOC's allegation that Colleen Surlis McElroy was discriminated against in terms of a demotion in 2003 is time-barred.

b. EEOC's allegation that Colleen Surlis McElroy was discriminated against in terms of denial of scheduling and telecommuting privileges in 2004 is time-barred.

c. EEOC's allegation that Colleen Surlis McElroy was discriminated against in terms of denial of promotion in 2004 is time-barred.



29. Ketal Wrobel

a. EEOC's allegation that Ketal Wrobel was discriminated against in terms of negative performance reviews from 2003 through 2004 is time-barred.

30. Winnie Yeh

a. EEOC's allegation that Winnie Yeh was discriminated against in terms of a denial of promotion in 2005 is time-barred.

31. Samantha Zee

a. EEOC's allegation that Samantha Zee was discriminated against in terms of denial of promotions in 2002 through May 2005 is time-barred.

b. EEOC's allegation that Samantha Zee was discriminated against in terms of Bloomberg's failure to offer her career advancing assignments and opportunities to May 28, 2005 is time-barred.

32. Dana Zhu

a. EEOC's allegation that Dana Zhu was discriminated against in terms of her performance evaluations and ratings in 2003 and 2004 is time-barred.

b. EEOC's allegation that Dana Zhu was discriminated against in terms of heightened scrutiny of performance by her manager in 2003 through 2004 is time-barred.

c. EEOC's allegation that Dana Zhu was discriminated against in terms of changes in her job responsibilities in 2002 to May 28, 2005 is time-barred.

It is further ORDERED, that all discrimination claims brought by EEOC based on discrete acts that may have happened prior to May 28, 2005, whether or not listed above, are dismissed as time-barred.

It is further ORDERED, that Bloomberg retains the right to challenge the timeliness of claims asserted by Plaintiffs-Intervenors.

SO ORDERED.

Dated: New York, New York  
December 22, 2010

  
LORETTA A. PRESKA, Chief U.S.D.J.