

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

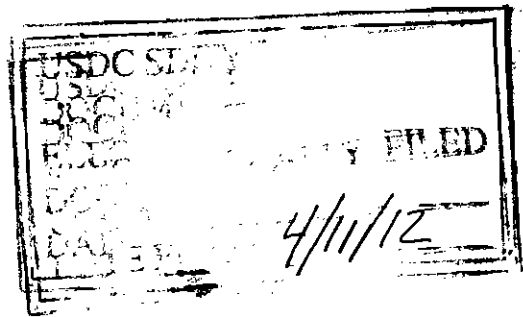
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DEBORAH R. COOKE and  
CHRISTINA M. RODINO

Plaintiffs,

-against-

DB 85 GYM CORP, et al.,

Defendants.  
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**ORDER REGULATING  
DISCOVERY**

11 Civ. 201 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

The parties have tendered a discovery dispute to me, by joint letter dated April 9, 2012, submitted pursuant to my Individual Rule 2E. I rule as follows:

1. Plaintiffs wish to question defendant Kevin Kavanaugh, the former Vice President of Human Resources of defendant DB 85 Gym Corp., and related corporate defendants, each doing business as David Barton Gym, about certain investigations, determinations and settlements he made with others who complained of a hostile work environment. Defendants object on the ground that the settlements were confidential. The objection is over-ruled. The answers may be elicited by plaintiff's counsel, but only counsel may see, hear or use the answers except as further ordered by the court.
2. Both counsel seek an enlargement of the time to conduct discovery. The motion is denied, except to the extent necessary to elicit the information described above. One hour of additional deposition will be more than sufficient.
3. The complaint was filed January 11, 2011. Plaintiffs allege that they are lesbians, each well qualified to perform their jobs, but were subjected to a hostile workplace environment directed at lesbians and, after various promotions, were terminated in

December 2010. Jurisdiction is based on diversity of citizenship, and New York State law is alleged to be the governing law.

After various delays, the parties on August 19, 2011 entered into a case management plan. They set February 29, 2010 as the date by which all fact discovery was to be completed, and March 16, 2012 as the date for the next status conference with me. They acknowledged that the dates were not to be adjourned except on a showing of good cause.

On February 29, 2012, on the application of the parties, I enlarged these dates and adjourned the status conference with me until May 11, 2012. Any extensions beyond this order will not be granted, and the parties' application in their joint letter is denied.

4. Plaintiffs' allegations in their complaint are specific as to their claim of a hostile work environment. The cases of other grievants are not relevant, even though I grant plaintiffs' applications for discovery as to other grievants. There is no reason that discovery should not have been completed by this time.

SO ORDERED.

Dated: April 11, 2012  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge