

CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (White Plains)**  
**CIVIL DOCKET FOR CASE #: 7:99-cv-10053-CM-MDF**

Stern v. Resnick  
Assigned to: Judge Colleen McMahon  
Referred to: Magistrate Judge Mark D. Fox  
Demand: \$0  
Cause: 42:1981 Equal Rights Under the Law

Date Filed: 09/28/1999  
Date Terminated: 09/05/2000  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Angela Stern**

represented by **Jenny Huang**  
Koob & Magoolaghan  
19 Fulton St.  
408  
New York, NY 10038  
*LEAD ATTORNEY*

V.

**Defendant****Allen Resnick**

represented by **Anthony J. Monteleone**  
Monteleone & Monteleone  
19 North Moger Avenue  
Mount Kisko, NY 10549  
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*LEAD ATTORNEY*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ 150.00 RECEIPT # 348616 (ec) (Entered: 10/04/1999)
09/28/1999		Magistrate Judge Fox is so Designated. (ec) (Entered: 10/04/1999)
09/28/1999		CASE REFERRED TO Judge Parker as related to 96CV8235 and 97CV10. (ec) (Entered: 10/04/1999)
09/28/1999	2	ORDER TO SHOW CAUSE by Angela Stern proposed temporary restraining order without notice and order to show cause why preliminary injunction should not issue (unsigned) (ec) (Entered: 10/04/1999)
09/28/1999	3	MEMORANDUM by Angela Stern in support of [2-1] motion proposed temporary restraining order without notice and order to show cause why preliminary injunction should not issue (ec) (Entered: 10/04/1999)

09/28/1999	4	AFFIDAVIT of Angela Stern by Angela Stern in support Re: [2-1] motion proposed temporary restraining order without notice and order to show cause why preliminary injunction should not issue . (ec) (Entered: 10/04/1999)
09/28/1999	5	AFFIDAVIT of Jenny Huang by Angela Stern in support Re: [2-1] motion proposed temporary restraining order without notice and order to show cause why preliminary injunction should not issue . (ec) (Entered: 10/04/1999)
09/29/1999		Case referred as related to 96CV8235 and 97CV10 and declined by Judge Parker and returned to wheel for assignment. (ec) (Entered: 10/04/1999)
09/29/1999	6	Notice of asgmt to Judge Colleen McMahon Copy of notice and judge's rules mailed to Attorney(s) of record: Jenny Huang. (ec) (Entered: 10/04/1999)
10/04/1999	7	RETURN OF SERVICE executed as to Allen Resnick by Jenny Huang on 9/28/99 Answer due on 10/18/99 for Allen Resnick .... served summons and complaint personally at 1010 Northern Blvd., Great Neck, New York, NY. (ec) (Entered: 10/04/1999)
10/05/1999	8	NOTICE OF MOTION by Angela Stern for preliminary injunction enjoining dft Allen Resnick, his agent, successors.... from (1) commencing a summary proceeding or otherwise taking any action to evict plntf from her commercial space and (2) entering into a lease or other rental agreement w/a 3rd party relating to the commercial space and (3) refusing to renew plntf's lease , Return date 10/7/99 (ds) (Entered: 10/05/1999)
10/05/1999	9	TRIAL MEMORANDUM by Angela Stern in support of [8-1] motion for preliminary injunction enjoining dft Allen Resnick, his agent, successors.... from (1) commencing a summary proceeding or otherwise taking any action to evict plntf from her commercial space and (2) entering into a lease or other rental agreement w/a 3rd party relating to the commercial space and (3) refusing to renew plntf's lease (ds) (Entered: 10/05/1999)
10/06/1999	10	MEMORANDUM OF LAW by Allen Resnick in opposition to [8-1] motion for preliminary injunction enjoining dft Allen Resnick, his agent, successors.... from (1) commencing a summary proceeding or otherwise taking any action to evict plntf from her commercial space and (2) entering into a lease or other rental agreement w/a 3rd party relating to the commercial space and (3) refusing to renew plntf's lease (pf) (Entered: 10/07/1999)
10/06/1999	11	Memo-Endorsement on letter addressed to Judge McMahon from atty Tara K. Monteleone, dated October 5, 1999, re:This letter is meant to confirm with the Court how the hearing will proceed on October 7, 1999 with respect to Anthony Monteleone being a witness in this matter and also representing the deftd at the hearing. We respectfully request a very brief adjournment in order to prepare other counsel in this matter. Endorsed:No adjournment is possible. I have no other place on my calendar for you. Only one attorney may examine pltf, not two. Mr. Monteleone represented to me last week that another attorney would be present to question him, that's sufficient "other counsel". No additional time is needed. ( signed by Judge Colleen McMahon ); Copies mailed. (ec) (Entered: 10/07/1999)
10/15/1999		Memorandum to Docket Clerk: Order to show cause hearing held 10/7/99. All

		parties present. Ct rpt Sue Ghorayeb. Hearing adjourned to 10/14/99 at 4pm. Submitted by Fidelis Basile (ds) (Entered: 10/15/1999)
10/18/1999	12	ORDER granting [8-1] motion for preliminary injunction enjoining dft Allen Resnick, his agent, successors.... from (1) commencing a summary proceeding or otherwise taking any action to evict plntf from her commercial space and (2) entering into a lease or other rental agreement w/a 3rd party relating to the commercial space and (3) refusing to renew plntf's lease .... ordered that plntf be required to post security in the amt of \$1000.00.... This order is further conditioned upon the plntf's payment of rent in the amt of \$1,500 per month during the pendency of the action, and upon the cessation of liquor being served at the premises. ( signed by Judge Colleen McMahan ); Copies mailed. (ds) (Entered: 10/19/1999)
10/18/1999		received \$1000.00 as security for order (see doc #12). Receipt #348744, ck #0507002651, certified ck drawn on chase Manhattan Bank, NY. (ds) (Entered: 10/19/1999)
11/04/1999	13	Memo-Endorsement on letter to atty Joan Magoolaghan from Anthony Monteleone, dated 11/1/99. ENDORSEMENT: Do NOT copy the Court on letters between counsel! Read the Rules. ( signed by Judge Colleen McMahan ); Copies mailed. (ds) (Entered: 11/04/1999)
11/08/1999	14	Transcript of record of proceedings before Judge Colleen McMahan for the date (s) of Sept. 29, 1999. (dc) (Entered: 11/08/1999)
11/15/1999	15	NOTICE OF MOTION by Angela Stern for leave to file late application for atty fees and costs , and for attorney fees and costs , no Return date (ds) (Entered: 11/15/1999)
11/15/1999	16	MEMORANDUM OF LAW by Angela Stern in support of [15-1] motion for leave to file late application for atty fees and costs, [15-2] motion for attorney fees and costs (ds) (Entered: 11/15/1999)
11/19/1999	17	Order that case be referred to a Magistrate Judge for Settlement Conference ( signed by Judge Colleen McMahan ) Referred to Magistrate Judge Mark D. Fox . (pf) (Entered: 11/19/1999)
01/06/2000		Memorandum to Docket Clerk: 1/6/00 Telephone conf. held. Both attys settled the motion for leave to file late applications for attys fees & cost. Clerk to term motion. Submitted by Fidelis Basile. (ds) (Entered: 01/07/2000)
09/05/2000	18	STIPULATION and ORDER of DISCONTINUANCE...It is hereby stipulated and agreed between the parties and the undersigned attorneys that The six month trial peroid agreed to between the parties expired on 7/3/00 and no motion for declaratory judgment has been brought by deft. The above entitled action is hereby discontinued and any further action to enforce the Stipulation of settlement and/or underlying lease and ridersshall be brought in a Court of competent jurisdiction. So Ordered. ( signed by Judge Colleen McMahan ) (fk) (Entered: 09/07/2000)
09/05/2000		Case closed. (fk) (Entered: 09/07/2000)
11/15/2000	19	ORDER that the bond in the amount of \$1,000.00 be returned to plaintiff. So

		Ordered: . ( signed by Judge Colleen McMahon ); Copies mailed. (ll) (Entered: 11/17/2000)
11/17/2000		Sent certified copy of docket #19 to the cashiers office in Pearl St., for return of money posted in matter. (ll) (Entered: 11/17/2000)
12/04/2000		Mailed check #548141 in the amount of \$1,000.00 payable to Angela Stern mailed to Koof & Mgoologlon, 19 Fulton St, NY, NY 10038 (ll) (Entered: 12/05/2000)

<b>PACER Service Center</b>
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<b>Transaction Receipt</b>
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