

**United States Court of Appeals for the Second Circuit  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007**

**ROBERT A. KATZMANN**  
CHIEF JUDGE

Date: August 12, 2019  
Docket #: 19-2474cv  
Short Title: Critcher v. L'Oreal USA, Inc.

**CATHERINE O'HAGAN WOLFE**  
CLERK OF COURT

DC Docket #: 18-cv-5639  
DC Court: SDNY (NEW YORK  
CITY)  
DC Judge: Parker  
DC Judge: Koeltl

**DOCKETING NOTICE**

A notice of appeal filed by **Mary Tullie Critcher, et al**, in the above referenced case was docketed today as **19-2474**. This number must appear on all documents related to this case that are filed in this Court. For pro se parties the docket sheet with the caption page, and an Acknowledgment and Notice of Appearance Form are enclosed. In counseled cases the docket sheet is available on PACER. Counsel must access the Acknowledgment and Notice of Appearance Form from this Court's website <http://www.ca2.uscourts.gov>.

The form must be completed and returned within 14 days of the date of this notice. The form requires the following information:

**YOUR CORRECT CONTACT INFORMATION:** Review the party information on the docket sheet and note any incorrect information in writing on the Acknowledgment and Notice of Appearance Form.

The Court will contact one counsel per party or group of collectively represented parties when serving notice or issuing our order. Counsel must designate on the Acknowledgment and Notice of Appearance a lead attorney to accept all notices from this Court who, in turn will, be responsible for notifying any associated counsel.

**CHANGE IN CONTACT INFORMATION:** An attorney or pro se party who does not immediately notify the Court when contact information changes will not receive notices, documents and orders filed in the case.

An attorney and any pro se party who is permitted to file documents electronically in CM/ECF must notify the Court of a change to the user's mailing address, business address, telephone

number, or e-mail. To update contact information, a Filing User must access PACER's Manage My Appellate Filer Account, <https://www.pacer.gov/psco/cgi-bin/cmecf/ea-login.pl>. The Court's records will be updated within 1 business day of a user entering the change in PACER.

A pro se party who is not permitted to file documents electronically must notify the Court of a change in mailing address or telephone number by filing a letter with the Clerk of Court.

CAPTION: In an appeal, the Court uses the district court caption pursuant to FRAP 12(a), 32(a). For a petition for review or original proceeding the Court uses a caption pursuant to FRAP 15(a) or 21(a), respectively. Please review the caption carefully and promptly advise this Court of any improper or inaccurate designations in writing on the Acknowledgment and Notice of Appearance form. If a party has been terminated from the case the caption may reflect that change only if the district court judge ordered that the caption be amended.

APPELLATE DESIGNATIONS: Please review whether appellant is listed correctly on the party listing page of the docket sheet and in the caption. If there is an error, please note on the Acknowledgment and Notice of Appearance Form. Timely submission of the Acknowledgment and Notice of Appearance Form will constitute compliance with the requirement to file a Representation Statement required by FRAP 12(b).

For additional information consult the Court's instructions posted on the website.

Inquiries regarding this case may be directed to 212-857-8561.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MARY TULLIE CRITCHER, TWOANA CLARK-SHEPPARD, VICTORIA MARYNOVSKY, PATRICIA BELBOT, JESSICA PETRIE, LINDA FEIGES, GEORGETTE C. FOURNIER, and SARAH MCQUEARY, individually and on behalf of other similarly situated persons,

Plaintiffs,

vs.

L'ORÉAL USA, INC.,

Defendant.

Case No. 1:18-cv-5639

**NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that plaintiffs Mary Tullie Critcher, Twoana Clark-Sheppard, Victoria Marynovsky, Patricia Belbot, Jessica Petrie, Linda Feiges, Georgette C. Fournier, and Sarah Mcqueary, hereby appeal to the United States Court of Appeals for the Second Circuit from the Memorandum Opinion and Order granting Defendant's motion to dismiss, entered in this action on July 11, 2019 [ECF No. 67], and corresponding Judgment entered in this action on July 12, 2019 [ECF No. 68].

DATED: August 12, 2019

**KAPLAN FOX & KILSHEIMER LLP**

By: s/ Laurence D. King  
Laurence D. King

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*Counsel for Plaintiffs*

CLOSED,APPEAL,CASREF,ECF

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:18-cv-05639-JGK-KHP**

Critcher et al v. L'Oreal USA, Inc.  
Assigned to: Judge John G. Koeltl  
Referred to: Magistrate Judge Katharine H. Parker  
Demand: \$5,000,000  
Cause: 28:1332t Diversity-Torts

Date Filed: 06/21/2018  
Date Terminated: 07/12/2019  
Jury Demand: Plaintiff  
Nature of Suit: 370 Other Fraud  
Jurisdiction: Diversity

**Plaintiff**

**Mary Tullie Critcher**  
*individually and on behalf of other  
similarly situated persons*

represented by **Amy R. Jackson**  
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**Plaintiff**

**Twoana Clark-Sheppard**  
*individually and on behalf of other  
similarly situated persons*

represented by **Amy R. Jackson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Karen E. Snyder**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Matthew L. Dameron**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Matthew Brian George**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Paul D. Snyder**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ralph E Labaton**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laurence David King**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Victoria Marynovsky**  
*individually and on behalf of other  
similarly situated persons*

represented by **Amy R. Jackson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Karen E. Snyder**  
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*ATTORNEY TO BE NOTICED*

**Matthew L. Dameron**  
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**Matthew Brian George**  
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*ATTORNEY TO BE NOTICED*

**Paul D. Snyder**  
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**Ralph E Labaton**  
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ATTORNEY TO BE NOTICED

**Laurence David King**  
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**Plaintiff**

**Patricia Belbot**  
*individually and on behalf of other  
similarly situated persons*

represented by **Amy R. Jackson**  
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ATTORNEY TO BE NOTICED

**Karen E. Snyder**  
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ATTORNEY TO BE NOTICED

**Matthew L. Dameron**  
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**Matthew Brian George**  
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ATTORNEY TO BE NOTICED

**Paul D. Snyder**  
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ATTORNEY TO BE NOTICED

**Ralph E Labaton**  
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ATTORNEY TO BE NOTICED

**Laurence David King**  
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**Plaintiff**

**Jessica Petrie**

represented by **Matthew Brian George**  
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ATTORNEY TO BE NOTICED

**Laurence David King**  
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**Plaintiff**

**Linda Feiges**

represented by **Matthew Brian George**  
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**Laurence David King**  
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**Plaintiff**

**Sarah McQueary**

represented by **Matthew Brian George**  
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ATTORNEY TO BE NOTICED

**Laurence David King**  
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**Plaintiff**

**Georgette C. Fournier**

represented by **Matthew Brian George**  
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*ATTORNEY TO BE NOTICED*

**Laurence David King**  
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V.

**Defendant**

**L'Oreal USA, Inc.**

represented by **Joanna Marie Doherty**  
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**Defendant**

**ATC Associates, Inc.**

represented by **Joanna Marie Doherty**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**ATC Group Services, LLC**

represented by **Joanna Marie Doherty**  
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*ATTORNEY TO BE NOTICED*



Date Filed	#	Docket Text
06/21/2018	<u>1</u>	COMPLAINT against L'Oreal USA, Inc.. (Filing Fee \$ 400.00, Receipt Number 0208-15231038) Document filed by Mary Tullie Critcher, Patricia Belbot, Victoria Marynovsky, Twoana Clark-Sheppard.(King, Laurence) (Entered: 06/21/2018)
06/21/2018	<u>2</u>	CIVIL COVER SHEET filed. (King, Laurence) (Entered: 06/21/2018)
06/21/2018	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to L'Oreal USA, Inc., re: <u>1</u> Complaint. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (King, Laurence) (Entered: 06/21/2018)
06/21/2018	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky.(King, Laurence) (Entered: 06/21/2018)
06/22/2018		<b>***NOTICE TO ATTORNEY REGARDING CIVIL CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Laurence David King. The following case opening statistical information was erroneously selected/entered: Fee Status code due (due);. The following correction(s) have been made to your case entry: the Fee Status code has been modified to pd (paid);. (jgo)</b> (Entered: 06/22/2018)
06/22/2018		<b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Laurence David King. The party information for the following party/parties has been modified: Mary Tullie Critcher; Twoana Clark-Sheppard; Victoria Marynovsky; Patricia Belbot. The information for the party/parties has been modified for the following reason/reasons: party text was omitted;. (jgo)</b> (Entered: 06/22/2018)
06/22/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge John G. Koeltl. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (jgo) (Entered: 06/22/2018)
06/22/2018		Magistrate Judge Katharine H. Parker is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (jgo) (Entered: 06/22/2018)
06/22/2018		Case Designated ECF. (jgo) (Entered: 06/22/2018)
06/22/2018	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to L'Oreal USA, Inc.. (jgo) (Entered: 06/22/2018)
06/28/2018	<u>6</u>	NOTICE OF APPEARANCE by Ralph E Labaton on behalf of Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Labaton, Ralph) (Entered: 06/28/2018)
06/29/2018	<u>7</u>	SUMMONS RETURNED EXECUTED. L'Oreal USA, Inc. served on 6/27/2018, answer due 7/18/2018. Service was accepted by Maria Ramsarat, Agent. Document filed by Mary Tullie Critcher; Patricia Belbot; Victoria Marynovsky; Twoana Clark-Sheppard. (George, Matthew) (Entered: 06/29/2018)
07/09/2018	<u>8</u>	NOTICE OF COURT CONFERENCE: Initial Conference set for 9/19/2018 at 04:30 PM in Courtroom 14A, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. (anc) (Entered: 07/09/2018)
07/10/2018	<u>9</u>	MOTION for Matthew Brian George to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15305590. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(George, Matthew) (Entered: 07/10/2018)

07/11/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 9 MOTION for Matthew Brian George to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15305590. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb)</b> (Entered: 07/11/2018)
07/12/2018	<u>10</u>	ORDER FOR ADMISSION PRO HAC VICE FOR MATTHEW B. GEORGE granting 9 Motion for Matthew B. George to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge John G. Koeltl on 7/11/18) (yv) (Entered: 07/12/2018)
07/17/2018	<u>11</u>	MOTION for Paul David Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15333003. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Affidavit Affidavit regarding Motion for Admission Pro Hac Vice for Paul D. Snyder, # <u>2</u> Text of Proposed Order Proposed Order for Admission Pro Hac Vice for Paul D. Snyder)(Snyder, Paul) (Entered: 07/17/2018)
07/17/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 11 MOTION for Paul David Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15333003. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu)</b> (Entered: 07/17/2018)
07/18/2018	<u>12</u>	MOTION for Karen Elizabeth Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15337715. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Affidavit Affidavit Regarding Motion for Admission Pro Hac Vice for Karen E. Snyder, # <u>2</u> Text of Proposed Order Proposed Order Regarding Motion for Admission Pro Hac Vice for Karen E. Snyder)(Snyder, Karen) (Entered: 07/18/2018)
07/18/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 12 MOTION for Karen Elizabeth Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15337715. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (jc)</b> (Entered: 07/18/2018)
07/19/2018	<u>13</u>	ORDER FOR ADMISSION PRO HAC VICE FOR PAUL D. SNYDER granting <u>11</u> Motion for Paul D. Snyder to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge John G. Koeltl on 7/18/18) (yv) (Entered: 07/19/2018)
07/19/2018	<u>14</u>	ORDER FOR ADMISSION PRO HAC VICE FOR KAREN E. SNYDER granting <u>12</u> Motion for Karen E. Snyder to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice pro hac vice in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. (Signed by Judge John G. Koeltl on 7/18/18) (yv) (Entered: 07/19/2018)
07/19/2018	<u>15</u>	LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint addressed to Judge John G. Koeltl from Peter Siachos dated 07/19/18. Document filed by L'Oreal USA, Inc..(Siachos, Peter) (Entered: 07/19/2018)
07/20/2018	<u>16</u>	MOTION for Matthew Lee Dameron to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349314. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Dameron, Matthew) (Entered: 07/20/2018)

07/20/2018	<u>17</u>	MOTION for Amy Renee Jackson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349369. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Text of Proposed Order)(Jackson, Amy) (Entered: 07/20/2018)
07/20/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>16</u> MOTION for Matthew Lee Dameron to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349314. Motion and supporting papers to be reviewed by Clerk's Office staff., <u>17</u> MOTION for Amy Renee Jackson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349369. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 07/20/2018)</b>
07/20/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>16</u> MOTION for Matthew Lee Dameron to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349314. Motion and supporting papers to be reviewed by Clerk's Office staff., <u>17</u> MOTION for Amy Renee Jackson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15349369. Motion and supporting papers to be reviewed by Clerk's Office staff.. The documents have been reviewed and there are no deficiencies. (jc) (Entered: 07/20/2018)</b>
07/24/2018	<u>18</u>	ORDER granting <u>15</u> Letter Motion for Extension of Time to Answer re <u>1</u> Complaint. 1. Time to move or answer extended to 8/18/18. 2. Conference adjourned to 9/20/18 at 4:30 p.m. So Ordered. (L'Oreal USA, Inc. answer due 8/18/2018.) (Signed by Judge John G. Koeltl on 7/24/18) (yv) (Entered: 07/24/2018)
07/24/2018		Set/Reset Hearings: Initial Conference set for 9/20/2018 at 04:30 PM before Judge John G. Koeltl. (yv) (Entered: 07/24/2018)
07/24/2018	<u>19</u>	ORDER FOR ADMISSION PRO HAC VICE FOR MATTHEW L. DAMERON granting <u>16</u> Motion for Matthew Lee Dameron to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 7/23/2018) (ne) (Entered: 07/24/2018)
07/24/2018	<u>20</u>	ORDER FOR ADMISSION PRO HAC VICE FOR AMY R. JACKSON granting <u>17</u> Motion for Amy Renee Jackson to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 7/23/2018) (ne) (Entered: 07/24/2018)
08/15/2018	<u>21</u>	LETTER MOTION for Extension of Time to File Answer addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated August 15, 2018. Document filed by L'Oreal USA, Inc..(Siachos, Peter) (Entered: 08/15/2018)
08/16/2018	<u>22</u>	ORDER granting <u>21</u> Letter Motion for Extension of Time to Answer. APPLICATION GRANTED. L'Oreal USA, Inc. answer due 9/10/2018 (Signed by Part 1 Judge Katherine Polk Failla on 8/16/2018) (cf) Modified on 8/16/2018 (cf). (Entered: 08/16/2018)
08/16/2018		Set/Reset Deadlines: Motions due by 9/10/2018. (cf) (Entered: 08/16/2018)
09/04/2018	<u>23</u>	LETTER MOTION for Conference addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated September 4, 2018., LETTER MOTION for Leave to File Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) and 12(b)(1) addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated September 4, 2018. Document filed by L'Oreal USA, Inc..(Siachos, Peter) (Entered: 09/04/2018)
09/11/2018	<u>24</u>	LETTER RESPONSE to Motion addressed to Judge John G. Koeltl from Laurence D. King dated 09/11/2018 re: <u>23</u> LETTER MOTION for Conference addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated September 4, 2018. LETTER MOTION for Leave to File Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) and 12(b)(1) addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated September 4, 2018. [Joint Letter Requesting Adoption of Schedule for Amendment of Complaint and Motion to Dismiss and for Adoption of Word Limitation]. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (King, Laurence) (Entered: 09/11/2018)
09/13/2018	<u>25</u>	MEMO ENDORSEMENT on <u>24</u> LETTER RESPONSE terminating <u>23</u> Letter Motion for Conference; terminating <u>23</u> Letter Motion for Leave to File Document. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Signed by Judge

		John G. Koeltl on 9/13/2018) (anc) (Entered: 09/13/2018)
09/13/2018		Set/Reset Deadlines: Amended Pleadings due by 9/17/2018. Motions due by 10/8/2018. Responses due by 11/5/2018. Replies due by 11/19/2018. (anc) (Entered: 09/13/2018)
09/13/2018	<u>26</u>	INITIAL REPORT OF PARTIES BEFORE PRETRIAL CONFERENCE. [Joint Report Pursuant to Rule 26(f) and Proposed Joint Discovery Plan] Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Victoria Marynovsky. (Attachments: # <u>1</u> Text of Proposed Order)(King, Laurence) (Entered: 09/13/2018)
09/17/2018	<u>27</u>	<b>FILING ERROR – DEFICIENT PLEADING – FILED AGAINST PARTY ERROR –FIRST AMENDED COMPLAINT</b> amending <u>1</u> Complaint against All Defendants with JURY DEMAND.Document filed by Mary Tullie Critcher, Patricia Belbot, Victoria Marynovsky, Twoana Clark-Sheppard, Jessica Petrie, Linda Feiges, Sarah McQueary, Georgette C. Fournier. Related document: <u>1</u> Complaint.(King, Laurence) Modified on 9/18/2018 (pc). (Entered: 09/17/2018)
09/18/2018		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Laurence David King to RE-FILE Document No. <u>27</u> Amended Complaint,. The filing is deficient for the following reason(s): the All Defendant radio button was selected. Re-file the pleading using the event type Amended Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. (pc)</b> (Entered: 09/18/2018)
09/18/2018	<u>28</u>	FIRST AMENDED COMPLAINT amending <u>27</u> Amended Complaint, <u>1</u> Complaint against L'Oreal USA, Inc. with JURY DEMAND.Document filed by Jessica Petrie, Victoria Marynovsky, Twoana Clark-Sheppard, Sarah McQueary, Georgette C. Fournier, Patricia Belbot, Mary Tullie Critcher, Linda Feiges. Related document: <u>27</u> Amended Complaint, <u>1</u> Complaint.(King, Laurence) Modified on 9/19/2018 (pc). Modified on 10/15/2018 (pne). (Entered: 09/18/2018)
09/19/2018	<u>29</u>	EXHIBIT TO PLEADING re: <u>27</u> Amended Complaint, <u>28</u> Amended Complaint,. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(King, Laurence) (Entered: 09/19/2018)
09/19/2018	<u>30</u>	LETTER addressed to Judge John G. Koeltl from Laurence D. King dated September 19, 2018 re: Filing of Amended Complaint [ECF No. 27] and Refiling of Amended Complaint [ECF No. 28]. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(King, Laurence) (Entered: 09/19/2018)
09/20/2018	<u>31</u>	MEMO ENDORSEMENT on re: <u>30</u> Letter regarding Filing of Amended Complaint [ECF No. 27] and Refiling of Amended Complaint [ECF No. 28], filed by Sarah McQueary, Twoana Clark-Sheppard, Victoria Marynovsky, Georgette C. Fournier, Linda Feiges, Jessica Petrie, Mary Tullie Critcher, Patricia Belbot. ENDORSEMENT: Application Granted. SO ORDERED. (Signed by Judge John G. Koeltl on 9/20/2018) (rj) (Entered: 09/21/2018)
09/20/2018		Minute Entry for proceedings held before Judge John G. Koeltl: Scheduling Conference held on 9/20/2018. (Fletcher, Donnie) (Entered: 09/21/2018)
09/21/2018		Transmission to the Civil Case Openings Clerk. Transmitted re: <u>31</u> Memo Endorsement, to the Civil Case Openings Clerk for case processing. (rj) (Entered: 10/10/2018)
09/25/2018	<u>32</u>	NOTICE OF APPEARANCE by Joanna Marie Doherty on behalf of ATC Associates, Inc., ATC Group Services, LLC. (Doherty, Joanna) (Entered: 09/25/2018)
09/25/2018	<u>33</u>	NOTICE OF APPEARANCE by Joanna Marie Doherty on behalf of L'Oreal USA, Inc.. (Doherty, Joanna) (Entered: 09/25/2018)
09/28/2018	<u>34</u>	LETTER addressed to Judge John G. Koeltl from Laurence D. King dated 09/28/18 re: Revised Proposed Scheduling Order. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria

		Marynovsky, Sarah McQueary, Jessica Petrie. (Attachments: # <u>1</u> Text of Proposed Order)(King, Laurence) (Entered: 09/28/2018)
10/01/2018	<u>35</u>	SCHEDULING ORDER: If Plaintiffs decide to file an opposition to Defendant's motion to dismiss: Such opposition shall be filed by November 12, 2018. Defendant's reply in support of its motion to dismiss shall be filed by December 3, 2018. IT IS SO ORDERED. (Amended Pleadings due by 11/12/2018. Motions due by 12/10/2018. Responses due by 1/14/2019 Replies due by 2/4/2019.) (Signed by Judge John G. Koeltl on 10/1/2018) (jca) (Entered: 10/01/2018)
10/05/2018	<u>36</u>	MOTION for Justin Daniel Lewis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15666943. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by L'Oreal USA, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order)(Lewis, Justin) (Entered: 10/05/2018)
10/06/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>36</u> MOTION for Justin Daniel Lewis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-15666943. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb)</b> (Entered: 10/06/2018)
10/09/2018	<u>37</u>	MOTION for Michael David Scully to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-15701016. <b>Motion and supporting papers to be reviewed by Clerk's Office staff.</b> Document filed by L'Oreal USA, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order)(Scully, Michael) (Entered: 10/09/2018)
10/09/2018	<u>38</u>	MOTION to Dismiss <i>First Amended Complaint</i> . Document filed by L'Oreal USA, Inc..(Lewis, Justin) (Entered: 10/09/2018)
10/09/2018	<u>39</u>	MEMORANDUM OF LAW in Support re: <u>38</u> MOTION to Dismiss <i>First Amended Complaint</i> . . Document filed by L'Oreal USA, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Lewis, Justin) (Entered: 10/09/2018)
10/10/2018	<u>40</u>	ORDER FOR ADMISSION PRO HAC VICE FOR MICHAEL D. SCULLY granting <u>37</u> Motion for Michael David Scully to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 10/10/2018) (mro) (Entered: 10/10/2018)
10/10/2018	<u>41</u>	ORDER FOR ADMISSION PRO HAC VICE FOR JUSTIN D. LEWIS granting <u>36</u> Motion for Justin D. Lewis to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 10/10/2018) (sac) (Entered: 10/10/2018)
10/10/2018		<b>&gt;&gt;&gt;NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>37</u> MOTION for Michael David Scully to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-15701016. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (ma)</b> (Entered: 10/10/2018)
10/22/2018	<u>42</u>	LETTER addressed to Judge John G. Koeltl from Laurence D. King dated 10/22/2018 re: Dkt No. 35, paras 4 and 5 of the Scheduling Order, Plaintiffs will not be responding to Dkt. No. 38, and intend to file a further amended complaint by November 12, 2018. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(King, Laurence) (Entered: 10/22/2018)
11/12/2018	<u>43</u>	SECOND AMENDED COMPLAINT amending <u>28</u> Amended Complaint, against L'Oreal USA, Inc. with JURY DEMAND.Document filed by Jessica Petrie, Victoria Marynovsky, Twoana Clark-Sheppard, Sarah McQueary, Georgette C. Fournier, Patricia Belbot, Mary Tullie Critcher, Linda Feiges. Related document: <u>28</u> Amended Complaint.,(King, Laurence) (Entered: 11/12/2018)
12/10/2018	<u>44</u>	MOTION to Dismiss <i>Second Amended Complaint</i> . Document filed by L'Oreal USA, Inc..(Lewis, Justin) (Entered: 12/10/2018)
12/10/2018	<u>45</u>	MEMORANDUM OF LAW in Support re: <u>44</u> MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by L'Oreal USA, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Lewis, Justin) (Entered: 12/10/2018)

12/17/2018	<u>46</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> MOTION for Protective Order [ <i>Stipulated Protective Order</i> ]. Document filed by Patricia Belbot, Twoana Clark–Sheppard, Mary Tullie Critcher, Victoria Marynovsky.(George, Matthew) Modified on 1/14/2019 (db). (Entered: 12/17/2018)
12/20/2018	<u>47</u>	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material..., Motions terminated: <u>46</u> MOTION for Protective Order [ <i>Stipulated Protective Order</i> ]. filed by Twoana Clark–Sheppard, Victoria Marynovsky, Mary Tullie Critcher, Patricia Belbot. This Order is not bidding on the Court or Court personnel. The Court reserves the right to amend the Order at any time. So Ordered. (Signed by Judge John G. Koeltl on 12/19/18) (yv) (Entered: 12/20/2018)
01/14/2019	<u>48</u>	MEMORANDUM OF LAW in Opposition re: <u>44</u> MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by Patricia Belbot, Twoana Clark–Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie. (Attachments: # <u>1</u> Exhibit A)(King, Laurence) (Entered: 01/14/2019)
02/04/2019	<u>49</u>	REPLY MEMORANDUM OF LAW in Support re: <u>44</u> MOTION to Dismiss <i>Second Amended Complaint</i> . . Document filed by L'Oreal USA, Inc.. (Lewis, Justin) (Entered: 02/04/2019)
03/25/2019	<u>50</u>	ORDER denying as moot <u>38</u> Motion to Dismiss. The motion to dismiss the first amended complaint (Docket No. 38) is now moot because the plaintiffs filed a second amended complaint (Docket No. 43), which the defendants have moved to dismiss (Docket No. 44). Accordingly, the Clerk is directed to close the pending motion at Docket No. 38. SO ORDERED. (Signed by Judge John G. Koeltl on 3/23/19) (yv) (Entered: 03/25/2019)
04/02/2019	<u>51</u>	LETTER MOTION for Discovery [ <i>Requesting a Pre–Motion Discovery Teleconference</i> ] addressed to Judge John G. Koeltl from Matthew B. George dated 04/02/2019. Document filed by Patricia Belbot, Twoana Clark–Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(George, Matthew) (Entered: 04/02/2019)
04/05/2019	<u>52</u>	LETTER RESPONSE in Opposition to Motion addressed to Judge John G. Koeltl from Peter G. Siachos, Esq. dated April 5, 2019 re: <u>51</u> LETTER MOTION for Discovery [ <i>Requesting a Pre–Motion Discovery Teleconference</i> ] addressed to Judge John G. Koeltl from Matthew B. George dated 04/02/2019. . Document filed by L'Oreal USA, Inc.. (Siachos, Peter) (Entered: 04/05/2019)
04/09/2019	<u>53</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE: Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non–Dispositive Motion/Dispute: The discovery dispute at Docket Numbers 51 and 52. SO ORDERED. Referred to Magistrate Judge Katharine H. Parker. Motions referred to Katharine H. Parker. (Signed by Judge John G. Koeltl on 4/8/2019) (jca) (Entered: 04/09/2019)
04/10/2019	<u>54</u>	ORDER SCHEDULING DISCOVERY CONFERENCE granting <u>51</u> Letter Motion for Discovery. The parties' dispute concerning the conduct of discovery pertaining the electronically stored information ("ESI") has been referred to the undersigned for resolution. (ECF Nos. 51–53.) A Discovery Conference will be held on Thursday, May 9, 2019 at 3:00 p.m. in Courtroom17–D, United States Courthouse, 500 Pearl Street, New York, New York to address the parties' disputes (ECF Nos. 51 & 52). By April 26, 2019, Plaintiffs shall submit a letter providing the Court with the following information as further set forth in this Order. By May 3, 2019, Defendants shall submit a letter providing the Court with the following information as further set forth in this Order. SO ORDERED. (Signed by Magistrate Judge Katharine H. Parker on 4/9/19) (yv) (Entered: 04/10/2019)
04/10/2019		Set/Reset Hearings: Discovery Hearing set for 5/9/2019 at 03:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Katharine H. Parker. (yv) (Entered: 04/11/2019)
04/16/2019	<u>55</u>	LETTER MOTION to Adjourn Conference addressed to Magistrate Judge Katharine H. Parker from Peter G. Siachos, Esq. dated April 16, 2019. Document filed by L'Oreal USA, Inc..(Siachos, Peter) (Entered: 04/16/2019)

04/17/2019	<u>56</u>	ORDER granting <u>55</u> Letter Motion to Adjourn Conference. APPLICATION GRANTED: The Discovery Conference scheduled for May 9, 2019 is hereby rescheduled to Monday, May 20, 2019 at 12:00 p.m. in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York. Application Granted. (Discovery Hearing set for 5/20/2019 at 12:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Katharine H. Parker.) (Signed by Magistrate Judge Katharine H. Parker on 4/17/19) (yv) (Entered: 04/17/2019)
04/26/2019	<u>57</u>	LETTER addressed to Magistrate Judge Katharine H. Parker from Paul D. Snyder and Matthew B. George dated April 26, 2019 re: Order Scheduling Discovery Conference at Dkt 54. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(George, Matthew) (Entered: 04/26/2019)
05/03/2019	<u>58</u>	LETTER addressed to Magistrate Judge Katharine H. Parker from Peter G. Siachos dated May 3, 2019 re: Order Scheduling Discovery Conference at Dkt. 54. Document filed by L'Oreal USA, Inc..(Lewis, Justin) (Entered: 05/03/2019)
05/20/2019	<u>59</u>	Minute Entry for proceedings held before Magistrate Judge Katharine H. Parker: Discovery Hearing held on 5/20/2019 :See Transcript for Details. A transcript of this proceeding is available by utilizing the attached order form. (ca) (Entered: 05/20/2019)
05/21/2019	<u>60</u>	ORDER. The parties are directed to meet and confer about potential additional custodians and date ranges applicable to such custodians' records that are relevant to the claims and defenses in this action. The Court encourages the parties to further consider use of technology assisted review and other techniques to expedite future document production (if any) and to minimize costs of document production. The Court attaches a document that the parties may use as a resource in their further discussions about discovery. This resolves the issues at ECF Nos. 51-52. SO ORDERED. (Signed by Magistrate Judge Katharine H. Parker on 5/21/19) (yv) (Entered: 05/21/2019)
05/29/2019	<u>61</u>	TRANSCRIPT of Proceedings re: DISCOVERY DISPUTES held on 5/20/2019 before Magistrate Judge Katharine H. Parker. Court Reporter/Transcriber: Shari Riemer, (518) 581-8973. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/19/2019. Redacted Transcript Deadline set for 7/1/2019. Release of Transcript Restriction set for 8/27/2019.(aea) (Entered: 05/29/2019)
05/29/2019	<u>62</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a DISCOVERY DISPUTES proceeding held on 5/20/2019 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.(aea) (Entered: 05/29/2019)
06/28/2019	<u>63</u>	LETTER addressed to Magistrate Judge Katharine H. Parker from Matthew B. George re: Update per May 20, 2019 Hearing. Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie.(George, Matthew) (Entered: 06/28/2019)
06/28/2019	<u>64</u>	LETTER addressed to Magistrate Judge Katharine H. Parker from Peter G. Siachos, Esq. Document filed by L'Oreal USA, Inc..(Siachos, Peter) (Entered: 06/28/2019)
06/28/2019	<u>65</u>	LETTER addressed to Magistrate Judge Katharine H. Parker from Peter G. Siachos, Esq. Document filed by L'Oreal USA, Inc.. (Attachments: # <u>1</u> Exhibit)(Siachos, Peter) (Entered: 06/28/2019)
07/01/2019		Minute Entry for proceedings held before Judge John G. Koeltl: Oral Argument set for 7/10/2019 at 02:30 PM in Courtroom 14A, 500 Pearl Street, New York, NY 10007 before Judge John G. Koeltl. (Fletcher, Donnie) (Entered: 07/01/2019)
07/03/2019	<u>66</u>	ORDER: The Court is in receipt of the parties' letters, dated June 28, 2019. (Doc. Nos. 64 and 65.) The parties are directed to complete their ESI Protocol by no later than August 14, 2019. The parties should also file a joint status report by that date

		confirming that the ESI Protocol has been finalized. SO ORDERED. (Signed by Magistrate Judge Katharine H. Parker on 7/3/2019) (ks) (Entered: 07/03/2019)
07/10/2019		Minute Entry for proceedings held before Judge John G. Koeltl: Oral Argument held on 7/10/2019 re: <u>44</u> MOTION to Dismiss Second Amended Complaint. Filed by L'Oreal USA, Inc. (Fletcher, Donnie) (Entered: 07/30/2019)
07/11/2019	<u>67</u>	MEMORANDUM OPINION AND ORDER re: <u>44</u> MOTION to Dismiss <i>Second Amended Complaint</i> filed by L'Oreal USA, Inc. The Court has considered all of the arguments raised by the parties. To the extent they are not specifically addressed, they are either moot or without merit. For the reasons explained above, the defendants' motion to dismiss the SAC is granted. The Clerk is directed to enter Judgment dismissing the Second Amended Complaint and closing this case. The Clerk is also directed to close all pending motions. (As further set forth in this Order.) (Signed by Judge John G. Koeltl on 7/11/2019) (cf) Transmission to Orders and Judgments Clerk for processing. (Entered: 07/12/2019)
07/12/2019	<u>68</u>	CLERK'S JUDGMENT re: <u>67</u> Memorandum & Opinion in favor of ATC Associates, Inc., ATC Group Services, LLC, L'Oreal USA, Inc. against Georgette C. Fournier, Jessica Petrie, Linda Feiges, Mary Tullie Critcher, Patricia Belbot, Sarah McQueary, Twoana Clark-Sheppard, Victoria Marynovsky. It is hereby ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Opinion and Order dated July 11, 2019, the Court has considered all of the arguments raised by the parties. To the extent they are not specifically addressed, they are either moot or without merit. The defendants' motion to dismiss the SAC is granted and judgment is entered dismissing the Second Amended Complaint; accordingly, the case is closed. (Signed by Clerk of Court Ruby Krajick on 7/12/2019) (Attachments: # <u>1</u> Right to Appeal)(km) (Entered: 07/12/2019)
07/12/2019		Terminate Transcript Deadlines (km) (Entered: 07/12/2019)
07/30/2019	<u>69</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 7/10/2019 before Judge John G. Koeltl. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/20/2019. Redacted Transcript Deadline set for 8/30/2019. Release of Transcript Restriction set for 10/28/2019.(McGuirk, Kelly) (Entered: 07/30/2019)
07/30/2019	<u>70</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/10/19 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/30/2019)
08/12/2019	<u>71</u>	NOTICE OF APPEAL from <u>67</u> Memorandum & Opinion,, <u>68</u> Clerk's Judgment,,... Document filed by Patricia Belbot, Twoana Clark-Sheppard, Mary Tullie Critcher, Linda Feiges, Georgette C. Fournier, Victoria Marynovsky, Sarah McQueary, Jessica Petrie. Filing fee \$ 505.00, receipt number CNYSDC-17409980. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (King, Laurence) (Entered: 08/12/2019)
08/12/2019		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>71</u> Notice of Appeal. (tp) (Entered: 08/12/2019)
08/12/2019		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>71</u> Notice of Appeal, filed by Sarah McQueary, Twoana Clark-Sheppard, Victoria Marynovsky, Georgette C. Fournier, Linda Feiges, Jessica Petrie, Mary Tullie Critcher, Patricia Belbot were transmitted to the U.S. Court of Appeals. (tp) (Entered: 08/12/2019)