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

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Date: March 11, 2016
Docket #: 16-748cv
Short Title: Christiansen v. Omnicom Group, Incorporated

DC Docket #: 15-cv-3440
DC Court: SDNY (NEW YORK CITY)
DC Judge: Failla

DOCKETING NOTICE

A notice of appeal filed by Matthew Christiansen in the above referenced case was docketed today as 16-748. 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 212-857-8513.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW CHRISTIANSEN
(List the full name(s) of the plaintiff(s)/petitioner(s).)

15 CV 03440 (KPF)( )

-against-

NOTICE OF APPEAL

OMNICOM GROUP, INC., DDB , WORLDWIDE COMMUNICATIONS GROUP INC., JOE CIANCIOTTO, PETER HEMPEL and CHRIS BROWN
(List the full name(s) of the defendant(s)/respondent(s).)

Notice is hereby given that the following parties: Plaintiff MATTHEW CHRISTIANSEN

(list the names of all parties who are filing an appeal)

in the above-named case appeal to the United States Court of Appeals for the Second Circuit

from the ☐ judgment ☒ order entered on: March 9, 2016
(date that judgment or order was entered on docket)

that: opinion and order granting Defendants' Motion to Dismiss the complaint is appealed in its entirety.

(If the appeal is from an order, provide a brief description above of the decision in the order.)

March 9, 2016
Dated

/s Susan Chana Lask
Signature*

Susan Chana Lask, Esq attorney for Plaintiff
Name (Last, First, MI)

244 Fifth Avenue, #2369 New York NY 10001
Address City State Zip Code

917-300-1958
Telephone Number

scl@appellate-brief.com
E-mail Address (if available)

* Each party filing the appeal must date and sign the Notice of Appeal and provide his or her mailing address and telephone number, EXCEPT that a signer of a pro se notice of appeal may sign for his or her spouse and minor children if they are parties to the case. Fed. R. App. P. 3(c)(2). Attach additional sheets of paper as necessary.

Rev. 12/23/13

APPEAL,ECF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:15−cv−03440−KPF

Christiansen v. Omnicom Group, Inc. et al
Assigned to: Judge Katherine Polk Failla
Cause: 42:12112 Americans with Disabilities Act − Employment Discrimination

Date Filed: 05/04/2015
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Diversity

Plaintiff

Anonymous
TERMINATED: 07/21/2015

represented by **Susan Chana Lask**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Matthew Christiansen

represented by **Susan Chana Lask**
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ATTORNEY TO BE NOTICED

V.

Defendant

Omnicom Group, Inc.

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Defendant

DDB Worldwide Communications Group Inc.

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Defendant

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Defendant

Peter Hempel represented by **Howard Jeffrey Rubin**
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Daniel Alan Feinstein
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Shira Franco
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ATTORNEY TO BE NOTICED

Defendant

Chris Brown represented by **Howard Jeffrey Rubin**
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Daniel Alan Feinstein
(See above for address)
ATTORNEY TO BE NOTICED

Shira Franco

(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/2015	1	COMPLAINT against Chris Brown, Joe Cianciotto, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Filing Fee $ 350.00, Receipt Number 465401124316)Document filed by Anonymous.(moh) (mps). (Entered: 05/05/2015)
05/04/2015		SUMMONS ISSUED as to Chris Brown, Joe Cianciotto, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (moh) (Entered: 05/05/2015)
05/04/2015		Magistrate Judge Ronald L. Ellis is so designated. (moh) (Entered: 05/05/2015)
05/04/2015		Case Designated ECF. (moh) (Entered: 05/05/2015)
05/04/2015	2	CIVIL COVER SHEET filed. (moh) (mps). (Entered: 05/05/2015)
05/13/2015		*****NOTE TO ATTORNEY TO E−MAIL PDF. Note to Attorney Susan Chana Lask for noncompliance with Section 14.2 of the S.D.N.Y. Electronic Case Filing Rules &Instructions. E−MAIL the PDF for Document 1 Complaint to: caseopenings@nysd.uscourts.gov. (moh)** (Entered: 05/13/2015)
05/13/2015		*****NOTICE TO ATTORNEY TO SUBMIT PDF OF CIVIL COVER SHEET. Notice to Attorney Susan Chana Lask, to submit PDF of the Civil Cover Sheet. Email a copy of Civil Cover Sheet to: caseopenings@nysd.uscourts.gov. (moh)** (Entered: 05/13/2015)
06/05/2015	3	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 8/6/2015 at 11:00 AM in Courtroom 618, 40 Centre Street, New York, NY 10007 before Judge Katherine Polk Failla. (Signed by Judge Katherine Polk Failla on 6/5/2015) (spo) (Entered: 06/05/2015)
06/22/2015	4	**ACCEPTED FOR FILING BY CHAMBERS, SEE DOCKET ENTRY 18** − FIRST AMENDED COMPLAINT amending 1 Complaint against Anonymous with JURY DEMAND.Document filed by Anonymous. Related document: 1 Complaint filed by Anonymous.(Lask, Susan) Modified on 6/23/2015 (moh). Modified on 8/5/2015 (tro). (Entered: 06/22/2015)
06/23/2015		*****NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Susan Lask to RE−FILE Document No. 4 Amended Complaint,. The filing is deficient for the following reason(s): the wrong filer/filers were selected for the pleading; the wrong party/parties whom the pleading is against were 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. (moh)** (Entered: 06/23/2015)
06/24/2015	5	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Omnicom Group Inc. for DDB Worldwide Communications Group Inc.. Document filed by DDB Worldwide Communications Group Inc., Omnicom Group, Inc..(Feinstein, Daniel) (Entered: 06/24/2015)
06/24/2015	6	LETTER MOTION for Conference *regarding Defendants' anticipated motion to dismiss the First Amended Complaint* addressed to Judge Katherine Polk Failla from Daniel A. Feinstein dated June 24, 2015. Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc..(Feinstein, Daniel) (Entered: 06/24/2015)
06/24/2015	7	LETTER addressed to Judge Katherine Polk Failla from Susan Chana Lask, Esq. dated June 24, 2015 re: Pre Motion Conference. Document filed by Anonymous.(Lask, Susan) (Entered: 06/24/2015)

06/26/2015	8	NOTICE OF APPEARANCE by Jeffrey Kevin Brown on behalf of Joe Cianciotto. (Brown, Jeffrey) (Entered: 06/26/2015)
06/26/2015	9	NOTICE OF APPEARANCE by Rick Ostrove on behalf of Joe Cianciotto. (Ostrove, Rick) (Entered: 06/26/2015)
06/29/2015	10	LETTER MOTION for Conference addressed to Judge Katherine Polk Failla from Rick Ostrove dated 06/29/2015. Document filed by Joe Cianciotto.(Ostrove, Rick) (Entered: 06/29/2015)
06/30/2015	11	ORDER granting 6 Letter Motion for Conference ; granting 10 Letter Motion for Conference: that the parties are directed to appear for a pre−motion conference before the Court on July 16, 2015, at 11:00 a.m., in Courtroom 618 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, 10012. Defendant Cianciotto is directed to submit a letter of no more than three pages setting forth the basis of his proposed motion to dismiss no later than July 6, 2015. Plaintiff is directed to respond to the substance of both parties' letters by letter of no more than three pages no later than July 10, 2015. The Clerk of Court is directed to terminate Docket Entries 6 and 10. Pre−Motion Conference set for 7/16/2015 at 11:00 AM in Courtroom 618, 40 Centre Street, New York, NY 10007 before Judge Katherine Polk Failla. (Signed by Judge Katherine Polk Failla on 6/30/2015) (tn) (Entered: 06/30/2015)
07/07/2015	12	LETTER addressed to Judge Katherine Polk Failla from Rick Ostrove dated July 7, 2015 re: Cianciotto's proposed motion to dismiss. Document filed by Joe Cianciotto.(Ostrove, Rick) (Entered: 07/07/2015)
07/12/2015	13	LETTER addressed to Judge Katherine Polk Failla from Susan Chana Lask, Esq. dated 7/12/2015 re: Pre−Motion Conference Letter. Document filed by Anonymous.(Lask, Susan) (Entered: 07/12/2015)
07/14/2015	14	NOTICE OF APPEARANCE by Shira Franco on behalf of Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Franco, Shira) (Entered: 07/14/2015)
07/14/2015	15	NOTICE OF APPEARANCE by Howard Jeffrey Rubin on behalf of Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Rubin, Howard) (Entered: 07/14/2015)
07/15/2015	16	LETTER addressed to Judge Katherine Polk Failla from Susan Chana Lask, Esq. dated 7/15/2015 re: Adjourn pre−Motion Conference to Monday,7/20/15. Document filed by Anonymous.(Lask, Susan) (Entered: 07/15/2015)
07/17/2015	17	MEMO ENDORSEMENT on re: 16 Letter filed by Anonymous. ENDORSEMENT: The conference scheduled for July 16, 2015, is hereby adjourned nunc pro tunc to July 21, 2015, at 4:30 p.m. (Pre−Motion Conference set for 7/21/2015 at 04:30 PM before Judge Katherine Polk Failla.) (Signed by Judge Katherine Polk Failla on 7/17/2015) (tn) (Entered: 07/17/2015)
07/21/2015	18	ORDER: The Clerk of Court is directed to accept the Amended Complaint as filed (Dkt. #4), and to amend the caption of the case to match this Order. Defendants are directed to submit their motions to dismiss no later than August 14, 2015. Plaintiff's opposition, in the form of a single memorandum of law of no more than 30 pages in length, is due no later than September 21, 2015. Defendants' replies are due no later than October 5, 2015. The initial pretrial conference scheduled for August 6, 2015, is hereby adjourned sine die. (Motions due by 8/14/2015., Responses due by 9/21/2015, Replies due by 10/5/2015.), Matthew Christiansen added. Anonymous terminated. (Signed by Judge Katherine Polk Failla on 7/21/2015) (mro) Modified on 7/22/2015 (mro). (Entered: 07/22/2015)
07/21/2015		Minute Entry for proceedings held before Judge Katherine Polk Failla: Pre−Motion Conference held on 7/21/2015. (Court Reporter Martha Drevis) (Lopez, Jose) (Entered: 07/22/2015)
07/28/2015	19	TRANSCRIPT of Proceedings re: Conference held on 7/21/2015 before Judge Katherine Polk Failla. Court Reporter/Transcriber: Martha Drevis, (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 8/21/2015. Redacted Transcript Deadline set for 8/31/2015. Release of Transcript Restriction set for 10/29/2015.(Rodriguez, Somari) (Entered: 07/28/2015)
07/28/2015	20	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 07/21/2015 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...(Rodriguez, Somari) (Entered: 07/28/2015)
07/31/2015	21	MOTION to Dismiss *Plaintiff's First Amended Complaint*. Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. Responses due by 9/21/2015(Rubin, Howard) (Entered: 07/31/2015)
07/31/2015	22	MEMORANDUM OF LAW in Support re: 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*. . Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Rubin, Howard) (Entered: 07/31/2015)
07/31/2015	23	DECLARATION of Daniel A. Feinstein in Support re: 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*.. Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I)(Rubin, Howard) (Entered: 07/31/2015)
08/14/2015	24	MOTION to Dismiss *Plaintiff's First Amended Complaint*. Document filed by Joe Cianciotto.(Ostrove, Rick) (Entered: 08/14/2015)
08/14/2015	25	MEMORANDUM OF LAW in Support re: 24 MOTION to Dismiss *Plaintiff's First Amended Complaint*. . Document filed by Joe Cianciotto. (Ostrove, Rick) (Entered: 08/14/2015)
09/22/2015	26	LETTER addressed to Judge Katherine Polk Failla from Daniel A. Feinstein dated September 22, 2015 re: Write in response to Plaintiffs counsels letter to the Court today in which she requests an extension of Plaintiffs deadline to file his opposition to the motion to dismiss the First Amended Complaint (the Complaint).. Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Feinstein, Daniel) (Entered: 09/22/2015)
09/22/2015	27	LETTER addressed to Judge Katherine Polk Failla from Susan Chana Lask, Esq. dated 9/22/15 re: letter Explaining Civility for Mr. Feinstein to Acknowledge for Brief 1st Extension Request. Document filed by Matthew Christiansen.(Lask, Susan) (Entered: 09/22/2015)
09/22/2015	28	ENDORSED LETTER addressed to Judge Katherine Polk Failla from Susan Chana Lask dated 9/22/2015 re: a brief three day extension to file my opposition pursuant to your motion scheduling Order (Dkt. 18) from September 21 to September 24, 2015 with a reciprocal extension for defendants replies from October 5 to October 8, 2015. ENDORSEMENT: Application GRANTED. Set Deadlines/Hearing as to 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*. 24 MOTION to Dismiss *Plaintiff's First Amended Complaint*: Responses due by 9/24/2015, Replies due by 10/8/2015. (Signed by Judge Katherine Polk Failla on 9/22/2015) (tn) (Entered: 09/22/2015)
09/24/2015	29	DECLARATION of Susan Chana Lask, Esq. in Opposition re: 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*., 24 MOTION to Dismiss *Plaintiff's First Amended Complaint*.. Document filed by Matthew Christiansen. (Attachments: # 1 Exhibit A−10−21−14 letter to Brown, # 2 Exhibit B−11−20−14 letter to Cianciotto, # 3 Exhibit C−12−19−14 Defendants' Federal EEOC Response, # 4 Exhibit D−2−25−15 Defendants' State EEOC Response, # 5 Exhibit E−EEOC July 15, 2015 FOXX Decision, # 6 Exhibit F−EEOC Foxx Pamphlet of Cases, # 7

		Exhibit G−EEOC Foxx Pamphlet)(Lask, Susan) (Entered: 09/24/2015)
09/24/2015	30	MEMORANDUM OF LAW in Opposition re: 24 MOTION to Dismiss *Plaintiff's First Amended Complaint*., 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*. . Document filed by Matthew Christiansen. (Lask, Susan) (Entered: 09/24/2015)
10/08/2015	31	REPLY MEMORANDUM OF LAW in Support re: 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*. . Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Rubin, Howard) (Entered: 10/08/2015)
10/08/2015	32	DECLARATION of Daniel A. Feinstein in Support re: 21 MOTION to Dismiss *Plaintiff's First Amended Complaint*.. Document filed by Chris Brown, DDB Worldwide Communications Group Inc., Peter Hempel, Omnicom Group, Inc.. (Rubin, Howard) (Entered: 10/08/2015)
10/08/2015	33	REPLY MEMORANDUM OF LAW in Support re: 24 MOTION to Dismiss *Plaintiff's First Amended Complaint*. . Document filed by Joe Cianciotto. (Ostrove, Rick) (Entered: 10/08/2015)
10/15/2015	34	NOTICE OF APPEARANCE by Brandon Okano on behalf of Joe Cianciotto. (Okano, Brandon) (Entered: 10/15/2015)
03/09/2016	35	OPINION AND ORDER re: 24 MOTION to Dismiss *Plaintiff's First Amended Complaint* filed by Joe Cianciotto, 21 MOTION to Dismiss *Plaintiff's First Amended Complaint* filed by Chris Brown, Peter Hempel, DDB Worldwide Communications Group Inc., Omnicom Group, Inc.: For the reasons given in this Opinion, Defendants' motions are GRANTED in full. The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case. (Signed by Judge Katherine Polk Failla on 3/9/2016) (tn) (Entered: 03/09/2016)
03/09/2016		Transmission to Judgments and Orders Clerk. Transmitted re: 35 Opinion and Order, to the Judgments and Orders Clerk. (tn) (Entered: 03/09/2016)
03/09/2016	36	NOTICE OF APPEAL from 35 Memorandum &Opinion,,. Document filed by Matthew Christiansen. Filing fee $ 505.00, receipt number 0208−12046979. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Lask, Susan) (Entered: 03/09/2016)