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**Phillip Hawkins v.
Anstar Biotech Industries**

Case ReportBook

Authored by:

**Chris Attorney
[Your Organization Name Here]**

Wednesday, August 17, 2011

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**Phillip Hawkins v.
Anstar Biotech Industries**

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Bates - Begin	Bates - End	Date	Full Name	Type +	Author(s)	Recipient(s)	Description
P001232	P001232	Sat 12/28/2002 10:10 a.m. ET	Email from Phil Hawkins at 20021010 to William Lang	E-mail	Philip Hawkins	William Lang	Email Philip Hawkins wrote William Lang following their first meeting.
P001233	P001233	Tue 08/02/2005	Hawkins Letter of 8/2/2005	Letter	Philip Hawkins	William Lang	Philip Hawkins complains about demotion and alleges William Lang made age-based statements.
P001234	P001234	Mon 09/19/2005	Hawkins Letter of 9/19/2005	Letter	Philip Hawkins	William Lang	Philip Hawkins complains to William Lang about sales processes.
P001235	P001235	Fri 11/11/2005	Lang Letter of 11/11/2005	Letter	William Lang, Karen Thomas	Philip Hawkins	Letter Philip Hawkins was sent following Reduction in Force.
P001267	P001268	Tue 09/27/2005	Letter from William Lang to Carol Sander, Esq.	Letter	William Lang	Carol Sanders	Redacted. Letter from William Lang to his employment counsel re RIF preparations.
P001269	P001278	Thu 11/10/2005	Reduction In Force Announcement	Internal memo	William Lang	Anstar Biotech Industries Staff	
P001279	P001279	Fri 11/11/2005	Lang Memo to Regan	Internal memo	William Lang	George Regan	
P001284	P001284	Tue 05/03/2005	Varvaro Tip Letter	Letter	Frank Varvaro	George Regan	Frank Varvaro alerts accounting firm to possible fake invoices arranged by Philip Hawkins.
P001334	P001356	06/??/2004	Hawkins Employment Agreement	Contract	William Lang, Philip Hawkins		Draft agreement prepared in conjunction with Philip Hawkins promotion.
P001357	P001362	08/??/2005	Hawkins Performance Review	Performance Review	William Lang	Philip Hawkins, Karen Thomas	Philip Hawkins receives highest ranking.
P001401	P001401	Mon	Email from Phil	E-mail	Philip Hawkins	William Lang	

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**	**	09/19/2005 3:14:05 p.m. ET	Hawkins at 20050923 1514 to William Lang	**	**	**	**
P001450	P001454	Fri 06/17/2005	Thomas Memo to File	Internal memo	Karen Thomas		
P001554	P001560	Wed 03/17/2004	Sheridan 2004 Performance Review	Performance Review	Karen Thomas	Susan Sheridan	
P002000	P002000	Mon 04/18/2005 10:33:48 p.m. ET	Email from Phil Hawkins at 20050418 2233 to multiple recipients	E-mail	Philip Hawkins	William Lang, Karen Thomas	
P002001	P002001	Tue 04/19/2005 9:52:50 a.m. ET	Email from Phil Hawkins at 20050419 0952 to George Ny	E-mail	Philip Hawkins	George Ny	
P002002	P002002	Fri 04/15/2005 3:15:41 p.m. ET	Email from Phil Hawkins at 20050415 1515 to Hank Randle	E-mail	Philip Hawkins	Hank Randle	
P002003	P002003	Fri 04/15/2005 3:16:31 p.m. ET	Email from Phil Hawkins at 20050415 1516 to Hank Randle	E-mail	Philip Hawkins	Hank Randle	
P002004	P002004	Mon 04/18/2005 4:01:41 p.m. ET	Email from Phil Hawkins at 20050418 1601 to multiple recipients	E-mail	Philip Hawkins	Karen Thomas, Frank Varvaro, George Regan	
P002005	P002005	Mon 04/18/2005 10:22:21 p.m.	Email from Phil Hawkins at 20050418 2222	E-mail	Philip Hawkins	Hank Randle	

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**	**	ET	to Hank Randle	**	**	**	**
P002006	P002006	Mon 04/18/2005 11:53:33 p.m. ET	Email from Phil Hawkins at 20050418 2353 to Karen Thomas	E-mail	Philip Hawkins	Karen Thomas	
P002007	P002007	Mon 04/18/2005 11:39:56 p.m. ET	Email from Phil Hawkins at 20050418 2339 to Hank Randle	E-mail	Philip Hawkins	Hank Randle	
P002008	P002008	Tue 04/19/2005 3:20:25 p.m. ET	Email from Phil Hawkins at 20050419 1520 to Frank Varvaro	E-mail	Philip Hawkins	Frank Varvaro	
P002009	P002009	Tue 04/19/2005 6:01:01 p.m. ET	Email from Phil Hawkins at 20050419 1801 to Karen Thomas	E-mail	Philip Hawkins	Karen Thomas	
P002010	P002010	Mon 04/18/2005 4:06:25 p.m. ET	Email from Phil Hawkins at 20050418 1606 to multiple recipients	E-mail	Philip Hawkins	Linda Collins, George Regan, Frank Varvaro	
P002011	P002011	Tue 04/19/2005 5:46:42 p.m. ET	Email from Phil Hawkins at 20050419 1746 to Karen Thomas	E-mail	Philip Hawkins	Karen Thomas	
P002012	P002012	Tue 04/19/2005 2:18:48 p.m. ET	Email from Phil Hawkins at 20050419 1418 to Linda Collins	E-mail	Philip Hawkins	Linda Collins	

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P002013	P002013	Tue 04/19/2005 10:54:10 a.m. ET	Email from Phil Hawkins at 20050419 1054 to Linda Collins	E-mail	Philip Hawkins	Linda Collins	
P002014	P002014	Tue 04/19/2005 10:32:23 a.m. ET	Email from William Lang at 20050419 1032 to Phil Hawkins	E-mail	William Lang	Philip Hawkins	
P002015	P002015	Tue 04/19/2005 9:55:36 a.m. ET	Email from Phil Hawkins at 20050419 0955 to SheridanS	E-mail	Philip Hawkins	Susan Sheridan	
P002016	P002016	Thu 04/21/2005 10:36:16 a.m. ET	Email from William Lang at 20050421 1036 to Phil Hawkins	E-mail	William Lang	Philip Hawkins	
P002017	P002017	Tue 04/19/2005 9:50:37 a.m. ET	Email from Phil Hawkins at 20050419 0950 to Frank Varvaro	E-mail	Philip Hawkins	Frank Varvaro	
P002018	P002018	Tue 04/19/2005 5:50:06 p.m. ET	Email from Phil Hawkins at 20050419 1750 to Linda Collins	E-mail	Philip Hawkins	Linda Collins	
P002019	P002019	Tue 04/19/2005 6:01:01 p.m. ET	Email from Phil Hawkins at 20050419 1750 to Gregory Poole	E-mail	Philip Hawkins	Gregory Poole	Philip Hawkins contacts attorney Gregory Poole regarding his situation re Anstar Biotech Industries and his feelings that he was fired due to his age, not his job performance.
P002020	P002020	Tue 04/19/2005 6:30:01 p.m.	Email from Phil Hawkins at 20050419 1750	E-mail	Philip Hawkins	Gregory Poole	More details in follow-up email from Philip Hawkins to Gregory Poole regarding William Lang






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**	**	ET	to Gregory Poole	**	**	**	and the loss of Philip Hawkins employment.
P002021	P002022	Wed 04/20/2005	Letter from Gregory Poole to Phil Hawkins DTD 4/20/05	Letter	Gregory Poole	Philip Hawkins	Letter from Gregory Poole to Philip Hawkins with general advice re discrimination and specific advice re contact with William Lang and other staff at Anstar Biotech Industries.
P002022	P002022	Wed 04/20/2005	Email from Gregory Poole at 20050420 1536 to Philip Hawkins	E-mail	Gregory Poole	Philip Hawkins	Email advising Philip Hawkins that letter from Gregory Poole has been mailed via regular mail.

**Phillip Hawkins v.
Anstar Biotech Industries**

Research Authorities


Research Authorities

Name	Jurisdiction +	Type +	Citation	Description	Linked Issues	# Extracts
 Americans with Disabilities Act of 1990, 42 USCS § 12102	N/A	Statute	42 USCS § 12102 - No Signal [8/17/11]	The Americans with Disabilities Act (ADA) is a Federal civil rights law that prohibits the exclusion of people with disabilities from everyday activities. To meet the goals of the ADA, the law established requirements for private businesses of all sizes. These requirements first went into effect on January 26, 1992, and continue for both for-profit and non-profit organizations.	Wrongful Termination, Damages	3
 Bell v. Farmers Ins. Exchange, 87 Cal. App. 4th 805 (Cal. App. 1st Dist. 2001)	Cal. App. 1st Dist.	Case Law	 87 Cal. App. 4th 805 - Caution: Possible negative treatment [8/17/11]	On July 10, 2001 a California Jury gave insurance adjusters \$90 million for uncompensated overtime. Some 2,400 current and former Farmers Insurance Exchange adjusters more than \$90 million on their class action claims they were denied overtime pay	Retaliation	0
 Ragsdale v. Wolverine Worldwide, Inc., 218 F.3d 933 (8th Cir. Ark. 2000)	8th Cir. Ark.	Case Law	 218 F.3d 933 - Questioned: Validity questioned by citing refs. [8/17/11]	The Family and Medical Leave Act of 1993 (FMLA) guarantees qualifying employees 12 weeks of unpaid leave each year and encourages businesses to adopt more generous policies. Respondent Wolverine World Wide, Inc., granted petitioner Ragsdale 30 weeks of medical leave under its more generous policy in 1996. It refused her request for additional leave or permission to work part time and terminated her when she did not return to work. She filed suit, alleging that 29 CFR §	Age Discrimination, Retaliation	2

Research Authorities

Name	Jurisdiction +	Type +	Citation	Description	Linked Issues	# Extracts
**	**	**	**	825.700(a), a Labor Department regulation, required Wolverine to grant her 12 additional weeks of leave because it had not informed her that the 30-week absence would count against her FMLA entitlement. The District Court granted Wolverine summary judgment, finding that the regulation was in conflict with the statute and invalid because it required Wolverine to grant Ragsdale more than 12 weeks of FMLA-compliant leave in one year. The Eighth Circuit agreed.	**	**
Walia v. Aetna, Inc., 93 Cal. App. 4th 1213 (Cal. App. 1st Dist. 2001)	Cal. App. 1st Dist.	Case Law	● 93 Cal. App. 4th 1213 - Warning: Negative treatment is indicated [8/17/11]	Aetna had merged with U.S. Healthcare which is headquartered in Pennsylvania. All "key employees" were asked to sign a noncompete and confidentiality agreement "that prevented them from working for a competitor in the same state for six months after termination. Anita Walia, an account manager in Aetna US Healthcare's San Francisco office, was told that she would lose her job if she didn't sign the agreement."	Damages	0
Worker Adjustment and Retraining Notification Act, 29 USCS § 2101	N/A	Statute	29 USCS § 2101 - No Signal [8/17/11]	aka WARN. A company with 100 or more full time employees must provide employees with 60 days' notice of its intention to close a facility (department, division, plant, etc.) if a mass staff reduction will last more than	Wrongful Termination, Pattern & Practice	0

Research Authorities



Name	Jurisdiction +	Type +	Citation	Description	Linked Issues	# Extracts
**	**	**	**	6 months. Note that if this pertains to your company, you must give 60 days' notice of the staff reduction to the "chief local elected official" and to the Dislocated Worker Unit (DWU) of the state in which the layoff will occur.	**	**