

Tyanthony Weaver
14906 Dennington Drive
Bowie, MD 20721
301-390-4860
tyweav@yahoo.com
May 16, 2012

REF: Quebecor World (USA) vs Tyanthony Weaver - Case number: 08-10152 - Claim# 2570

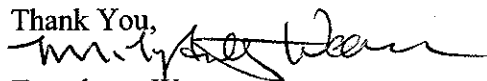
Judge James M. Peck,

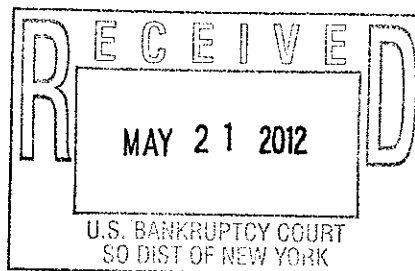
I would like your assistance concerning a wage claim I have filed against Quebecor World (USA). I have been attempting to settle or schedule a hearing for my claim however I have been ignored by the attorneys for Quebecor (Rosa Evergreen & Michael J. Canning) and felt that I should contact you to make you aware of my situation and express my frustration with the lack of corporation I have received. My claim is supported by a judgment and a EEOC "Right to Sue" letter in which my charge was supported. I have contacted an attorney to assist me however I want to make sure that my attorney and I are contacted so that my claim can finally be addressed and I can move forward in order to settle my claim. I have attached documents pertaining to my claim for your review and I ask that you speak to Quebecor's attorney (Arnold & Porter, LLP- (212)-715-1110) for me so that I may have my day in court to support my claim.
Rosa Evergreen: (202-942-5572).

My attorney:

Morse Geller
516-220-1752
mgadv1@aol.com

Thank You,


Tyanthony Weaver



ARNOLD & PORTER LLP

Michael J. Canning
Michael.Canning@aporter.com

212.715.1110
212.715.1399 Fax

399 Park Avenue
New York, NY 10022-4690

September 16, 2010

VIA ELECTRONIC MAIL

Mr. Tyanthony D. Weaver
14906 Dennington Drive
Bowie, MD 20721

Re: Quebecor World (USA) Inc. et. al., Case No. 08-10152

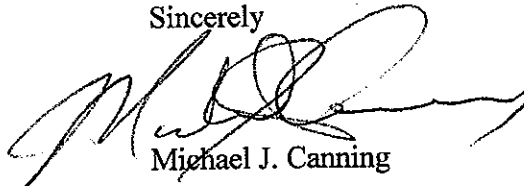
Mr. Weaver:

In response to your letter of earlier today, as well as your separate e mail to my colleague, Rosa Evergreen, this will confirm the agreement of the Reorganized Debtors to adjourn the hearing on the Reorganized Debtors' Twenty-Third Omnibus Objection to Claims (Seeking to Expunge Certain No Liability Claims and/or Insufficient Support Claims) as it relates to your proof of claim (claim no. 2570) until the next omnibus hearing date in respect of claims in these proceedings.

In this regard, we expect the next hearing to be in late October, but we will advise you of the hearing date when set by the court. We will, at that time, also advise you of your response deadline in advance of said hearing date, which deadline we expect will be approximately ten days before the hearing date.

At such time as you have secured counsel in this matter, please have them contact me at 212-715-1110 or Rosa Evergreen at 202-942-5572.

Sincerely



Michael J. Canning

MJC:kh

Hearing Date and Time: September 23, 2010 at 10:00 a.m.
Response Deadline: September 13, 2010 at 4:00 p.m.

ARNOLD & PORTER LLP
399 Park Avenue
New York, New York 10022-4690
Telephone: (212) 715-1000
Facsimile: (212) 715-1399
Michael J. Canning
Counsel for the Reorganized Debtors

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

In re

Quebecor World (USA) Inc., et al.,

Debtors.

Chapter 11

Case No. 08-10152 (JMP)
Jointly Administered

Honorable James M. Peck

**REORGANIZED DEBTORS' TWENTY-THIRD OMNIBUS OBJECTION TO CLAIMS
(SEEKING TO EXPUNGE CERTAIN NO LIABILITY CLAIMS AND/OR
INSUFFICIENT SUPPORT CLAIMS)**

Quebecor World (USA) Inc. and 52 of its domestic direct and indirect subsidiaries, as reorganized debtors (collectively, the "Debtors" or "Reorganized Debtors, as applicable), hereby file their Twenty-Third Omnibus Objection to Claims (Seeking to Expunge Certain No Liability Claims and/or Insufficient Support Claims) (the "Objection"), and hereby move this Court for the entry of an order substantially in the form of Exhibit A attached hereto, granting the relief sought by this Objection.

PARTIES RECEIVING THIS OBJECTION SHOULD CONSULT EXHIBITS B, C, D, E, AND F (COLLECTIVELY, THE "EXHIBITS") TO DETERMINE WHETHER THEIR NAMES AND RESPECTIVE CLAIMS ARE IDENTIFIED ON ANY OF THE EXHIBITS.

FILED ENTERED
LOGGED RECEIVED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JAN 28 2010

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY _____ CLERK

TYANTHONY D. WEAVER
14906 Dennington Drive
Bowie, MD 20721

Plaintiff,

v.

QUEBECOR WORLD LANMAN
COMPANIES, INC. d/b/a QUEBECOR
WORLD PREMEDIA
150 East 42nd Street
Fourth Floor
New York, NY 10017

Defendant.

Civil Action No. RWT 08 CV 2823
JURY TRIAL DEMANDED

JUDGMENT

This matter having come before the court regarding Plaintiff's Motion for Entry of Default Judgment. It appearing that on February 20, 2009, a Notice of Appearance was filed in this case by Robert J. Smith on behalf of Defendant. It further appearing that on April 14, 2009, Defendant filed a response that it would not file an answer or responsive pleading. On December 11, 2009 the court entered an Order of Default for want of answer or other defense by Defendant Quebecor World Lanman Companies Inc., doing business as Quebecor World Premedia. This date having been set by the court to establish the truth of the allegations, determine the amount of damages, costs and attorney fees and thereupon enter judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure, after hearing the testimony of the Plaintiff, Tyanthony D. Weaver and considering the evidence, it is hereby this 27th day of January, 2010

ORDERED that Judgment be entered in favor of Plaintiff, Tyanthony D. Weaver, and against to Defendant, Quebecor World Lanman Companies, Inc. doing business as Quebecor World Premedia, in the amount of \$ 43,860.00 It is further

ORDERED that Plaintiff be awarded attorney fees and cost in the amount of \$ 2,150.00



Hon. Roger W. Titus
United States District Court Judge
for the District of Maryland

**NOTICE OF RIGHT TO SUE
(CONCILIATION FAILURE)**

To: Tyanthony D. Weaver
14906 Dennington Drive
Bowie, MD 20721

From: U.S. Equal Employment Opportunity
Commission
Baltimore Field Office
10 S. Howard Street, 3rd Fl.
Baltimore, Maryland 21201

{ } On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No. & Respondent's Name	EEOC Representative	Telephone No.
531-2006-01393C Quebecor World	Regina M. Davis, Investigator	(410) 209-2241

This Notice concludes the EEOC's processing of the above-numbered charge. The EEOC found reasonable cause to believe that violations of the statute(s) occurred with respect to some or all of the matters alleged in the charge but could not obtain a settlement with the Respondent that would provide relief for you. In addition, the EEOC has decided that it will not bring suit against the Respondent at this time based on this charge and will close its file in this case. This does not mean that the EEOC is certifying that the Respondent is in compliance with the law, or that the EEOC will not sue the Respondent later or intervene later in your lawsuit if you decide to sue on your own behalf.

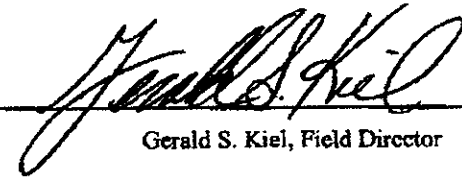
- NOTICE OF SUIT RIGHTS -
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** from your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Gerald S. Kiel, Field Director

JUL 24 2008

(Date Mailed)

Enclosure(s)

cc: John S. Ferrer, Esquire
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue
Washington, D. C. 20004

EXHIBIT C

8-B



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Baltimore Field Office

City Crescent Building
10 South Howard St., 3rd Floor
Baltimore, MD 21201
(Charge Status/Pending Business) 1-866-408-8075
(General Info/New Charge Filing) 1-800-669-4000
TTY (410) 962-6065
FAX (410) 962-2817/4270

Charge Number: 531-2006-01393C

Tyanthony D. Weaver
14908 Dennington Drive
Bowie, MD 20721

Charging Party

Quebecore World Premedia
150 East 42nd Street
New York, NY 10017

Respondent

DETERMINATION

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII). All requirements for coverage have been met.

Charging Party, employed by the Respondent as a Retoucher, alleges he was selected for lay off because of his race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended. Charging Party alleges he was informed he was being laid off on June 16, 2006. Charging Party alleges his selection for lay off violated the Respondent's collective bargaining agreement with the union regarding seniority. Charging Party further alleged White employees with less seniority were retained.

Respondent denied Charging Party's allegations and contends his lay off was strictly the result of his seniority status in accordance with the collective bargaining agreement. Respondent further contends any White employees retained at the time of the June 6, 2006 lay off remained employed only by virtue of having more seniority than the Charging Party.

The evidence shows Charging Party began his employment with the Respondent as a Scanner Operator. The evidence shows Charging Party was placed in the Retoucher job classification as a result of a November 10, 2005 reduction in force where his job as a Scanner Operator was eliminated and he exercised his seniority rights under the terms of the union collective bargaining agreement to move into the position of Retoucher. The evidence shows Respondent announced another reduction in force on June 16, 2006 which eliminated a Retoucher position. Respondent contends, as per the collective bargaining agreement, the employee with the lowest department seniority shall be laid off first and as a result of his departmental seniority status Charging Party was selected for lay off as he had the lowest seniority in the Retouching Department.

The evidence shows it is undisputed that although Charging Party had the lowest departmental seniority, he had the most plant seniority. The evidence shows White employees with less plant seniority than Charging Party were retained in the Retouching Department. Testimonial evidence obtained supported the Charging Party's allegation that plant seniority supercedes department seniority. Testimony was also obtained which determined that a White employee with the least amount of department seniority retained

EXHIBIT B

Letter of Determination
Charge Number 531-2006-01393C
Page 2

his employment because of his plant seniority based on the collective bargaining agreement.

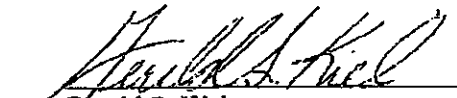
Based on the foregoing, I have determined that there is reasonable cause to believe that more likely than not, the Charging Party was selected for lay off because of his race, Black, as alleged in violation of Title VII of the Civil Rights Act of 1964, as amended.

Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. In this regard, conciliation of this matter has now begun. Please be advised that upon receipt of this finding, any reasonable offer to resolve this matter will be considered. The Commission is seeking an amount inclusive of the applicable cap to your organization (up to and including \$300,000) for compensatory and/or punitive damage; liquidated damages; and actual monetary costs incurred by the Charging Party and aggrieved individuals, if any. A Commission representative will prepare and monitor an actual dollar amount to include accruing wage losses and attendant benefits, with interest to date, any appropriate front pay; and, if appropriate, attorney fees and costs which have accrued to date. Again, the Commission is postured to consider any reasonable offer during this period. If any offer has not previously been submitted, Respondent is requested to accept, reject or submit a counteroffer to the conciliation proposal which will be forthcoming on behalf of Charging Party and any additional aggrieved individuals.

The confidentiality provisions of Title VII and the Commission Regulations apply to information obtained during the conciliation.

If the Respondent declines to discuss settlement or when, for any reason, a settlement acceptable to the Office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission.

On Behalf of the Commission


Gerald S. Kiel
Director

1-29-08
Date

B10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT <u>Southern</u> DISTRICT OF <u>New York</u>		PROOF OF CLAIM
Name of Debtor: QUEBECOR WORLD (USA) INC., et al		Case Number: 08-10152 (JMP)
<small>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</small>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): TYANTHONY D. WEAVER		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.
Name and address where notices should be sent: TYANTHONY D. WEAVER 14906 Dennington Drive Bowie, MD 20721 (301) 390-4860		Court Claims Number: <i>(If known)</i>
Telephone number: 61092		Filed on:
Name and address where payment should be sent (if different from above): SAME AS ABOVE		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
Telephone number:		<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$ <u>UNDETERMINED</u> <small>(If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.)</small>		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim.
If all or part of your claim is entitled to priority, complete item 5. Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		
2. Basis for Claim: <u>Title VII Discrimination and Breach of Union Contract</u> <small>(See instruction #2 on reverse side.)</small>		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).
3. Last four digits of any number by which creditor identifies debtor: <u>[REDACTED]</u>		<input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4).
3a. Debtor may have scheduled account as: <small>(See instruction #3a on reverse side.)</small>		<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate: % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		<input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. <i>(See definition of "redacted" on reverse side.)</i> SEE ATTACHED DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.		<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____). Amount entitled to priority: \$ _____
If the documents are not available, please explain:		<small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
Date: <u>Oct 20, 2008</u>	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. TyAnthony D. Weaver / TyAnthony D. Weaver	FOR COURT USE ONLY RECEIVED 2008 OCT 23 AM 11:00 U.S. BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 357

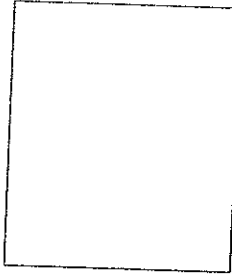


[Home](#) | [Site Map](#) | [Cases](#)

[FOUNDATION](#) | [LEADERSHIP](#) | [DEBTOR SERVICES](#) | [CREDITOR COMMITTEE SERVICES](#) | [VIRTUAL DATA ROOM](#)

Quebecor World (USA) Inc., et al.

[Case Home Page](#) | [Professional Log In](#) | [Search Creditors/Claims](#) | [Proof of Claim Form](#) | [503\(b\)\(9\) Administrative Expense Proof of Claim Form](#)



Claim #: 2570 Classif: UNSECURED Debtor

CLAIM :
TYANTHONY D. WEAVER
14906 DENNINGTON DRIVE
BOWIE, MD 20721

QUEBECOR WORLD (USA) INC.
Case # : 08-10152

Filed 10/23/2008

Claim Amt \$0.00
Plus Unliquidated Amount

Status

[View first page of claim](#)

[Home](#) | [Site Map](#) | [Cases](#)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

3-344-0660

0-4pm

TYANTHONY D. WEAVER
14906 Dennington Drive
Bowie, MD 20721

Plaintiff,

v.

QUEBECOR WORLD LANMAN
COMPANIES, INC. d/b/a QUEBECOR
WORLD PREMEDIA
150 East 42nd Street
Fourth Floor
New York, NY 10017

Defendant.

RWT 08 CV 2823

Civil Action No.
JURY TRIAL DEMANDED

FILED
LODEG
OCT 24 2008
CLERK U.S. DISTRICT COURT
34

COMPLAINT

COMES NOW, Tyanthony D. Weaver, Plaintiff above-named, by his attorney,
Lee Boothby, and for Complaint states:

I. JURISDICTION

1. The jurisdiction of this Court is invoked pursuant to Title 28 U.S.C. §§1331, 1343(4), 1364(a), 2201 and 2202 this being a civil action arising under the laws of the United States.

2. The jurisdiction of this court further arises under 42 U.S.C. §2000e-5 by reason of the fact that this suit is authorized and instituted against a private employer pursuant to Title VII of the Civil Rights Action of 1964 as amended, 42 U.S.C. §2000e, *et seq.*, to secure relief from discrimination on the basis of race.

II. VENUE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

TYANTHONY D. WEAVER,

Plaintiff

v.

**QUEBECOR WORLD LANMAN CO.,
INC. d/b/a QUEBECOR WORLD
PREMEDIA,**

Defendant

*
*
*
*
*
*
*
*
*
*

Civil Case number: 08-2823 RWT

ORDER

Upon consideration of correspondence from Defendant’s counsel dated February 13, 2009, which the Court construes as a motion to stay pending the resolution of a bankruptcy proceeding filed by Quebecor World (USA), Inc. and certain of its affiliated entities in the Southern District of New York, and the response and reply thereto, it is this 2nd day of April, 2009, by the United States District Court for the District of Maryland,

ORDERED, that, the Court concluding that the bankruptcy proceeding involving the parent company does not affect Plaintiff’s ability to bring suit in this Court against a subsidiary that is a separate legal entity, *see Kreisler v. Goldberg*, 478 F.3d 209, 214 (4th Cir. 2007); *In re Unishops, Inc.*, 374 F. Supp. 424 (S.D.N.Y. 1974), *aff’d* 494 F2d 689 (2d Cir.1974), Defendant’s motion to stay [Paper No. 10] is **DENIED**. If Defendant wishes to take advantage of the bankruptcy proceeding concerning its parent company, it is advised to file a petition in the Southern District of New York and motion for joint resolution with the pending claims.

/s/
Roger W. Titus
United States District Judge