

CLOSED2002, JURY, OPTOUT, PRETRIED

**U.S. District Court
Southern District of Alabama (Mobile)
CIVIL DOCKET FOR CASE #: 1:01-cv-00358-P-S**

EEOC v. Bender Shipbuilding
Assigned to: Senior Judge Virgil Pittman
Referred to: Magistrate Judge William H. Steele (MJ)
Demand: \$0
Cause: Disability Act of 1990

Date Filed: 05/17/2001
Date Terminated: 11/26/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**EEOC**

represented by **Charles Guerrier**
Equal Employment Opportunity
Commission
1130 22nd St. S., Ste. 2000
Birmingham, AL 35205-2881
205-212-2044
Email: charles.guerrier@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eunice H. Morrow
Equal Employment Opportunity
Commission
1130 22nd St. S., Ste. 2000
Birmingham, AL 35205-2881
205-731-0628
Fax: 2057312101
Email: eunice.morrow@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gwendolyn Young Ream
EEO Commission
1801 L Street N. W.
Washington, DC 20507
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jill Lolley Vincent
Equal Employment Opportunity
Commission
1130 22nd St. S., Ste. 2000
Birmingham, AL 35205-2881
205-731-0628
Fax: 2057312101
TERMINATED: 12/05/2001

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pamela K. Agee
Equal Employment Opportunity
Commission
1130 22nd St. S., Ste. 2000
Birmingham, AL 35205-2881
205-731-0628
Email: pamela.agee@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Bender Shipbuilding & Repair Co., Inc.

represented by **William C. Tidwell, III**
Hand Arendall, L.L.C.
P. O. Box 123
Mobile, AL 36601
(334) 432-5511
Fax: 2516946375
Email: btidwell@handarendall.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lisa Michelle Darnley Cooper
Hand Arendall, L.L.C.
P. O. Box 123
Mobile, AL 36601
(334) 432-5511
Fax: 2516946375
Email: ldcooper@handarendall.com
ATTORNEY TO BE NOTICED

V.

Mediator

K.W. Michael Chambers
TERMINATED: 07/01/2002

represented by **K.W. Michael Chambers**
Cabaniss, Johnston, Gardner, Dumas &
O'Neal
P.O. Box 2906
Mobile, AL 36652
251-415-7300
Email: kwmc@cabaniss.com
TERMINATED: 07/01/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/17/2001	1	COMPLAINT filed; FILING FEE \$ waived (clr) (Entered: 05/18/2001)
05/30/2001	2	Notice of Assignment to Mag. Judge Bert W. Milling Jr. for trial. Copies mailed 5/30/01 (clr) (Entered: 05/30/2001)
07/18/2001	3	REQUEST FOR WAIVER of Service as to Bender Shipbuilding mailed 7/16/01 ; Answer deadline projected for 9/14/01 for Bender Shipbuilding ; Waiver of Service due by 8/15/01 for Bender Shipbuilding (clr) (Entered: 07/23/2001)
09/14/2001	4	ANSWER to Complaint by Bender Shipbuilding (Attorney William C. Tidwell III, Lisa Michelle Darnley Cooper), (clr) (Entered: 09/17/2001)
09/17/2001		Local Rule 3.4 and Disclosure Form mailed. Disclosure Statement due 9/26/01 for Bender Shipbuilding (clr) (Entered: 09/17/2001)
09/19/2001	6	Disclosure Statement filed by Bender Shipbuilding ; (mca) (Entered: 09/27/2001)
09/24/2001	5	ORDER entered that pursuant to the provisions of 28 U.S.C. section 455, the undersigned Magistrate Judge hereby recuses himself from this action (signed by Mag. Judge Bert W. Milling Jr. 9/24/01) Copies mailed/sfaxed 9/25/01 (clr) (Entered: 09/25/2001)
09/25/2001		CASE reassigned to Mag. Judge William H. Steele (clr) (Entered: 09/25/2001)
09/27/2001	7	Notice of Assignment to Mag. Judge William H. Steele for trial. (mca) (Entered: 09/27/2001)
09/27/2001	8	PRELIMINARY SCHEDULING ORDER entered by Mag. Judge William H. Steele; Report of Parties Planning Meeting due 11/13/01; Consent to Magistrate due 11/13/01 (mca) (Entered: 09/27/2001)
11/13/2001	9	REPORT of Planning Meeting filed by parties; referred to M/J Steele 11/14/01 (mbp) (Entered: 11/14/2001)
11/14/2001		CASE reassigned to Senior Judge Virgil Pittman (mbp) (Entered: 11/14/2001)
11/14/2001		CASE ASSIGNED to Mag. Judge William H. Steele (mbp) (Entered: 11/14/2001)
11/14/2001	10	Order on Rule 16 entered; Rule 16 Conference set for 11:00 1/7/02; copies to counsel (srr) (Entered: 11/14/2001)
12/03/2001	11	MOTION by EEOC for Jill Lolley Vincent to Withdraw as Attorney ; ref to J/Pittman (srr) (Entered: 12/04/2001)
12/05/2001	12	NOTICE entered, endorsed granting [11-1] motion for Jill Lolley Vincent to Withdraw as Attorney (Terminated attorney Jill Lolley Vincent for EEOC (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 12/06/2001)
12/26/2001	13	REPORT of Planning Meeting filed by parties. (mab) (Entered: 12/27/2001)
01/07/2002		Scheduling conference held 1/7/02; Pamela Agee (phone) & William Tidwell present (srr) (Entered: 01/07/2002)

01/08/2002	14	DISCOVERY ORDER Discovery Deadline set at 7/1/02 ; Witness List Due 7/15/02 ; Motion filing deadline is 7/15/02 ; Expert Witness List due 4/15/02 (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 01/08/2002)
01/08/2002	15	ORDER engaging parties in ADR/ Mediation as further set out. Selection of Mediator deadline set to 1/28/02 - Mediation conf deadline set to 5/1/02 (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 01/08/2002)
01/28/2002	16	Designation of Mediator filed by parties. K.W. Michael Chambers named as Mediator. ADR order mailed to mediator. (srr) (Entered: 01/29/2002)
04/01/2002	17	Expert Witness list (naming Martha L. Lehman) by EEOC (srr) (Entered: 04/01/2002)
04/01/2002	18	Position regarding Settlement filed by plaintiff EEOC, defendant Bender Shipbuilding (srr) (Entered: 04/02/2002)
04/16/2002	19	Qualifications of Expert Witnesses (David Alexander & John Bacot) by Bender Shipbuilding (srr) (Entered: 04/17/2002)
04/26/2002	20	JOINT MOTION to Extend Time to file expert disclosures ; ref to J/Pittman (srr) (Entered: 04/26/2002)
04/30/2002	21	NOTICE entered, endorsed GRANTING [20-1] joint motion to Extend Time to file expert disclosures (signed by Senior Judge Virgil Pittman); copies to parties 5/1/02 (jlr) (Entered: 05/01/2002)
05/30/2002	22	Qualifications of Expert Witnesses (Martha Lehman) by EEOC (srr) (Entered: 05/30/2002)
06/03/2002	23	ORDER, setting Response to Order Deadline re: [23-1] order to 6/28/02 for Bender Shipbuilding, for EEOC to inform court regarding efforts to pursue mediation & their current positions on settlement (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 06/03/2002)
06/04/2002	24	MOTION by EEOC to shorten time for response to pla's 1st interrogs ; ref to J/Steele (srr) (Entered: 06/04/2002)
06/05/2002	25	Pre-trial conference set at 10:30 7/23/02 before Senior Judge Virgil Pittman; copies to counsel w/prel pto (srr) (Entered: 06/05/2002)
06/05/2002	26	ORDER, Response to Motion set to 6/14/02 for [24-1] motion to shorten time for response to pla's 1st interrogs (signed by Mag. Judge William H. Steele) copies to counsel (srr) (Entered: 06/06/2002)
06/12/2002	27	RESPONSE by Bender Shipbuilding to [26-1] order dated 6/5/02; ref to J/Steele (srr) (Entered: 06/13/2002)
06/14/2002	28	Position regarding Settlement filed by plaintiff EEOC, defendant Bender Shipbuilding; mediation has not been held; ptys will provide court addl info by 6/28/02 (srr) (Entered: 06/17/2002)
06/17/2002	29	ORDER granting [24-1] motion to shorten time for response to pla's 1st interrogs (signed by Mag. Judge William H. Steele) copies to counsel (srr) (Entered: 06/18/2002)

06/28/2002	30	MOTION by Bender Shipbuilding for an order that no mandatory mediation need be pursued w/o further order from the court ; ref to J/Pittman (srr) (Entered: 07/01/2002)
07/01/2002	31	NOTICE entered, endorsed granting [30-1] motion that no mandatory mediation need be pursued w/o further order from the court (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 07/01/2002)
07/10/2002	32	Exhibit list by Bender Shipbuilding (srr) (Entered: 07/11/2002)
07/10/2002	33	Witness list by Bender Shipbuilding (srr) (Entered: 07/11/2002)
07/10/2002	34	MOTION by Bender Shipbuilding for Partial Summary Judgment ; ref to J/Pittman (srr) (Entered: 07/11/2002)
07/10/2002	35	MEMORANDUM by Bender Shipbuilding in support of [34-1] motion for Partial Summary Judgment; ref to J/Pittman (srr) (Entered: 07/11/2002)
07/10/2002		PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW by Bender Shipbuilding (srr) (Entered: 07/11/2002)
07/12/2002	36	ORDER, Response to Motion set to 8/12/02 for [34-1] motion for Partial Summary Judgment (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 07/12/2002)
07/15/2002	37	Exhibit list by EEOC (srr) (Entered: 07/16/2002)
07/15/2002	38	Witness list by EEOC (srr) (Entered: 07/16/2002)
07/16/2002	39	Joint pre-trial document filed by EEOC, Bender Shipbuilding ; ETT: 3 days; ref to J/Pittman (srr) (Entered: 07/17/2002)
07/23/2002		Pre-trial conference held 7/23/02 bfr J/Pittman; Pamela Agee & William Tidwell participated; settlement conf set 9/5/02 at 10:15 am bfr J/Pittman (srr) (Entered: 07/23/2002)
07/23/2002	40	PRETRIAL ORDER entered., set Jury Selection for 9:30 10/1/02 , set Jury Trial for 9:30 10/1/02 before Senior Judge Virgil Pittman , ETT 3 days; set Status Conference for 10:30 9/24/02 , set Settlement Conference for 9/5/02 10:15 am ; ptys may amd pretrial response by 7/29/02; pla may amd witness list by 7/26/02 w/objs due 8/9/02 (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 07/23/2002)
07/23/2002		Deadline updated; Settlement Conference for 10:15 9/5/02 (srr) (Entered: 07/23/2002)
07/24/2002	41	AMENDED ORDER ON PRETRIAL CONFERENCE, set Status Conference for 10:30 9/24/02 , set Jury Selection for 9:30 10/1/02 ; all other aspects of this court's order on pretrial conf dated 7/23/02 remain in effect (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 07/25/2002)
07/26/2002	42	Supplemental [38-1] witness list filed by EEOC (srr) (Entered: 07/26/2002)
07/29/2002	43	OBJECTION by Bender Shipbuilding to [37-1] exhibits list (srr) (Entered: 07/30/2002)

07/29/2002	44	MOTION by Bender Shipbuilding to use supplemental exhibits ; ref to J/Pittman (srr) (Entered: 07/30/2002)
08/08/2002	45	OBJECTION by EEOC to [28-1] exhibit list (jlr) (Entered: 08/08/2002)
08/12/2002	46	MEMORANDUM by EEOC in opposition to [34-1] motion for Partial Summary Judgment; Exhibits 1-16 are in RED FILE FOLDER; ref to J/Pittman (tgw) (Entered: 08/14/2002)
08/19/2002	47	ORDER granting [44-1] motion to use supplemental exhibits (signed by Senior Judge Virgil Pittman 8/16/02) copies to counsel (srr) (Entered: 08/19/2002)
08/19/2002	48	MOTION by Bender Shipbuilding for Leave to File reply brief in support of sum jgm ; ref to J/Pittman (srr) (Entered: 08/20/2002)
08/19/2002	49	REPLY by Bender Shipbuilding to response to [34-1] motion for Partial Summary Judgment (srr) (Entered: 08/20/2002)
08/20/2002	50	NOTICE entered, endorsed granting [48-1] motion for Leave to File reply brief in support of sum jgm (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 08/20/2002)
08/23/2002	51	Letter head filed by EEOC (srr) (Entered: 08/23/2002)
08/23/2002	52	Qualifications of Expert Witnesses by EEOC (srr) (Entered: 08/23/2002)
08/23/2002	53	NOTICE of Hearing: set Settlement Conference for 10:15 9/5/02 bfr Judge Pittman in chambers; copies to counsel (srr) (Entered: 08/23/2002)
08/30/2002	54	MOTION by EEOC for Leave to File response to dft's reply brief in re: sum jgm ; ref to J/Pittman (srr) (Entered: 08/30/2002)
09/03/2002	55	NOTICE of attorney appearance for EEOC by Eunice H. Morrow (srr) (Entered: 09/03/2002)
09/03/2002	56	NOTICE entered, endorsed granting [54-1] motion for Leave to File response to dft's reply brief in re: sum jgm (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 09/03/2002)
09/03/2002	57	RESPONSE by EEOC to [49-1] dfts reply to partial sum jgm; ref to J/Pittman (srr) (Entered: 09/03/2002)
09/05/2002		Settlement conference held 9/5/02 bfr J/Pittman; Pamela Agee & Charles Guerrier present for pla; William Tidwell present for dft; responses re settlement due 9/27/02 (srr) (Entered: 09/05/2002)
09/05/2002	58	NOTICE of Hearing: reset Jury Selection for 9:30 12/3/02 , reset Jury Trial for 9:30 12/3/02 before Senior Judge Virgil Pittman ; copies to counsel (srr) (Entered: 09/05/2002)
09/30/2002	59	NOTICE entered, endorsed [34-1] motion for Partial Summary Judgment carried to trial (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 09/30/2002)
11/07/2002	60	PRETRIAL ORDER entered., set Status Conference for 10:30 11/26/02 , set Jury Selection for 9:00 12/3/02 ; ETT 3 days (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 11/07/2002)

11/07/2002	61	NOTICE of Hearing: set Jury Trial for 9:30 12/9/02 before Senior Judge Virgil Pittman copies to counsel (srr) (Entered: 11/07/2002)
11/07/2002	62	ORDER, setting Response to Order Deadline re: [62-1] order to 11/22/02 for Bender Shipbuilding, for EEOC to file a joint statement setting out the name of the qualified interpreter (complainant Bobby Tate is hearing impaired) selected to be present for jury selection & trial & state which pty will bear the cost of the interpreter's services (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 11/07/2002)
11/07/2002		Mailed Consent to proceed bfr Mag. Judge for jury selection (mailed to Ms. Agee w/note to forward to Mr. Tidwell) (srr) (Entered: 11/07/2002)
11/19/2002	63	Settlement Agreement filed by EEOC, Bender Shipbuilding; ref to J/Pittman (srr) (Entered: 11/26/2002)
11/26/2002	64	ORDER pursuant to [63-1] settlement agreement, the court approves the terms & conditions & directs the settlement agreement be effectuated in accordance with its terms; this action is dismissed w/prej; court will retain jurisdiction for 2 yrs from entry of this order (signed by Senior Judge Virgil Pittman) copies to counsel (srr) (Entered: 11/26/2002)
11/26/2002		Case closed (srr) (Entered: 11/26/2002)

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