**CLOSED** 

# U.S. District Court Alabama Middle District (Dothan) CIVIL DOCKET FOR CASE #: 1:05-cv-00896-WKW-VPM

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.

Factory Connection, LLC

Assigned to: Honorable William Keith Watkins Referred to: Honorable Vanzetta P. McPherson Cause: 42:2000 Job Discrimination (Race) Date Filed: 09/20/2005 Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs Jurisdiction: U.S. Government Plaintiff

## **Plaintiff**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### represented by C. Emanuel Smith

**Equal Employment Opportunity** 

Commission

1130 22nd Street South

Suite 2000

Birmingham, AL 35205-2881

Fax: 205-212-2041 *LEAD ATTORNEY* 

ATTORNEY TO BE NOTICED

#### **Charles Edward Guerrier**

**Equal Employment Opportunity** 

Commission

1130 22nd Street South

**Suite 2000** 

Birmingham, AL 35205-2881

205-731-2067

Fax: 205-731-1167

Email: charles.guerrier@eeoc.gov

TERMINATED: 04/06/2006

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### John Mark Graham

**Equal Employment Opportunity** 

Commission

1130 22nd Street South

**Suite 2000** 

Birmingham, AL 35205-2881

205-212-2054

Fax: 205-212-2041

Email: john.graham@eeoc.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

## Mildred Byrd

Equal Employment Opportunity Commission 1130 22nd Street South Suite 2000 Birmingham, AL 35205-2881 205-212-2043

Fax: 205-212-2041

Email: Mildred.Byrd@eeoc.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

## **Defendant**

**Factory Connection, LLC** 

## represented by Brian R. Bostick

Ogletree, Deakins, Nash, Smoak & Stewart
1819 5th Avenue North
One Federal Place, Suite 1000
Birmingham, AL 35203
205-328-1900

Fax: 328-6000

Email: brian.bostick@odnss.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### Gordon L. Blair

Ogletree, Deakins, Nash, Smoak & Stewart 1819 5th Avenue North One Federal Place, Suite 1000 Birmingham, AL 35203 205-328-1900

Fax: 328-6000

Email: gordon.blair@odnss.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text  |  |
|------------|---|--|--|
| 09/20/2005 | 1 | COMPLAINT against Factory Connection, LLC, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(ajr, ) (Entered: 09/23/2005)          |  |
| 09/20/2005 |   | DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (NO PDF ATTACHED - SEE DOC. #1) (ajr, ) (Entered: 09/23/2005) |  |

2 of 4 3/26/2007 12:15 PM

| 09/26/2005 | 2        | (VACATED PURSUANT TO <u>7</u> ORDER) ORDER REFERRING CASE to Magistrate Judge for action or recommendation on all pretrial matters. Signed by Judge Myron H. Thompson on 9/26/05. (ajr, ) Modified on 1/10/2006 (ajr, ). (Entered: 09/26/2005)                        |  |
|------------|----------|---|--|
| 11/08/2005 | 3        | REQUEST FOR WAIVER of Service sent to CSC Lawyers Incorporating Srv Inc. as agent for Factory Connection LLC on 09/29/2005 by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Waiver of Service due by 11/1/2004. (Graham, John) (Entered: 11/08/2005)                       |  |
| 11/17/2005 |          | ***Attorney Brian R. Bostick for Factory Connection, LLC added. (ajr, ) (Entered: 11/22/2005)   |  |
| 11/21/2005 | 4        | WAIVER OF SERVICE Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Factory Connection, LLC waiver sent on 9/29/2005, answer due 11/28/2005. (Graham, John) (Entered: 11/21/2005)   |  |
| 11/22/2005 | <u>5</u> | ANSWER to Complaint by Factory Connection, LLC.(Bostick, Brian) (Entered: 11/22/2005)   |  |
| 11/22/2005 |          | ***Attorney Gordon L. Blair for Factory Connection, LLC added. (ajr, ) (Entered: 11/23/2005)  |  |
| 01/06/2006 | <u>6</u> | REPORT of Rule 26(f) Planning Meeting. (Bostick, Brian) (Entered: 01/06/2006)   |  |
| 01/10/2006 | 7        | ORDER VACATING 2 Order Referring Case to Magistrate Judge. Signed by Judge Myron H. Thompson on 1/10/06. (ajr, ) (Entered: 01/10/2006)  |  |
| 01/13/2006 | 8        | Case reassigned to Judge William Keith Watkins. Judge Myron H. Thompson no longer assigned to the case. (ajr, ) (Entered: 01/13/2006)   |  |
| 04/05/2006 | 9        | Ex Parte MOTION to Substitute Attorney by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # 1 Exhibit A)(Graham, John) (Entered: 04/05/2006)   |  |
| 04/05/2006 |          | ***Attorney C. Emanuel Smith for EQUAL EMPLOYMENT OPPORTUNITY COMMISSION added per Doc 9. (ag, ) (Entered: 04/06/2006)  |  |
| 04/06/2006 | 10       | ORDER that C. Emanuel Smith, Regional Attorney, be substituted as counsel of record for the EEOC and that Charles E. Guerrier be withdrawn as counsel of record for the Commission. Signed by Judge William Keith Watkins on 4/6/2006. (ag, ) (Entered: 04/06/2006)   |  |
| 04/06/2006 |          | *** Attorney Charles Edward Guerrier terminated per order 10. (ag, ) (Entered: 04/06/2006)  |  |
| 10/10/2006 | 11       | Joint MOTION for Order <i>Entering Consent Decree</i> by Factory Connection, LLC and Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Consent Decree)(Bostick, Brian) Modified on 10/11/2006 add plaintiff as a filer (cb, ). (Entered: 10/10/2006) |  |
| 11/13/2006 | 12       | ORDER granting 11 Joint Motion to Enter Consent Decree; that the consent decree will be entered. Signed by Judge William Keith Watkins on 11/13/2006. (cc, ) (Entered: 11/13/2006)  |  |

3 of 4 3/26/2007 12:15 PM

| 11/13/2006 | <u>13</u> | ORDER ON CONSENT DECREE with Exhibit A, Notice to Employees attached. Signed by Judge William Keith Watkins on 11/13/2006. (cc, ) (Entered: 11/13/2006)  |  |
|------------|-----------|--|--|
| 11/21/2006 | <u>14</u> | Joint MOTION to Dismiss by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # 1)(Graham, John) (Entered: 11/21/2006)   |  |
| 11/21/2006 | <u>15</u> | FINAL JUDGMENT as follows: (1) This case is dismissed with prejudice; and (2) Each party will bear its own costs. The Clerk of the Court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. Signed by Judge William Keith Watkins on 11/21/2006. (Attachments: # 1 Civil Appeals Checklist)(cb, ) (Entered: 11/21/2006) |  |

| PACER Service Center  Transaction Receipt |                  |                     |                       |  |  |  |  |
|---|------------------|---------------------|-----------------------|--|--|--|--|
|   |                  |                     |                       |  |  |  |  |
| PACER<br>Login:                           | hs0328           | Client<br>Code:     | nniles                |  |  |  |  |
| <b>Description:</b>                       | Docket<br>Report | Search<br>Criteria: | 1:05-cv-00896-WKW-VPM |  |  |  |  |
| Billable<br>Pages:                        | 2                | Cost:               | 0.16                  |  |  |  |  |

4 of 4