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U.S. District Court Northern District of Ohio (Toledo) CIVIL DOCKET FOR CASE #: 3:97-cv-07225-DAK

EEOC v. Fostoria Restaurants Assigned to: Hon. David A. Katz

Demand: \$0

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/07/1997

Date Terminated: 11/03/1998

Jury Demand: Plaintiff

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

Plaintiff

Equal Employment Opportunity Commission

represented by Howard R. Besser

INVALID - U.S. Equal Employment

Opportunity

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V.

Defendant

Fostoria Restaurants, Inc.

doing business as

Taco Bell of Fostoria, Ohio

represented by R. Kevin Greenfield

Franklin & Greenfield

Ste. 1101

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Date Filed	#	Docket Text	
03/07/1997		FILING FEE WAIVED on 3/7/97 (G,H) (Entered: 03/10/1997)	
03/07/1997	1	COMPLAINT; jury demand (Service: waiver issd, magistrate consent form issd) (6 pgs) (L,V) (Entered: 03/13/1997)	
03/07/1997	2	CIS filed by plaintiff. Recommended Track: Standard (2 pgs) (L,V) (Entered: 03/13/1997)	
04/10/1997	3	ANSWER to Complaint by defendant (2 pgs) (N,D) (Entered: 04/11/1997)	
04/15/1997	4	CASE MANAGEMENT CONFERENCE scheduling ntc. case management conference set 10:15 am 6/9/97; ptys and counsel to atte conf. (issued on 4/15/97) (6 pgs) (N,D) (Entered: 04/16/1997)	
05/13/1997	5	ORDER: rescheduling CMC due to court conflict case management conference set 10:15 6/3/97 (issued on 5/13/97) (1 pg) Judge David A. Katz (K,V) (Entered: 05/13/1997)	
05/30/1997	6	NOTICE by defendant of change of address of its atty R. Kevin Greenfield (2 pgs) (N,D) (Entered: 06/04/1997)	
06/03/1997	7	POSITION STATEMENT by ptys. Re: Agenda for Case Management Conf. (3 pgs) (N,D) (Entered: 06/05/1997)	
06/04/1997	8	CASE MANAGMENT PLAN/ORDER: case management conference held 6/3/97; Track Designation: standard; discovery to be complete 1/20/98; ddl for amending pleadings and adding ptys 9/30/97; Mtn filing ddl 2/10/98; 3 weeks for response after filing of said motion; 10 calenda days for reply; status hearing 11:30 am 11/17/97 by telephone; final pretrial conference 2:00 pm 5/4/98; jury trial 6/9/98 (issued on 6/4/97) (pgs) Judge David A. Katz (N,D) (Entered: 06/09/1997)	
06/04/1997	9	TRIAL ORDER: this case is scheduled for jury trial 9:00 am 6/9/98; pltf to submit stip re: undisputed trial facts by 5/12/98; objections due 5/19/98; final stip due to court by 5/26/98; trial briefs and motions in limine to be filed at least 12 calendar days before the date of trial; all other instructions per order. (issued on 6/4/97) (5 pgs) Judge David A. Katz (N,D) (Entered: 06/09/1997)	
07/07/1997	10	PROOF OF SERVICE by defendant of Rule 26(a) initial disclosures (1 pgs) (N,D) (Entered: 07/11/1997)	
10/20/1997	11	ORDER: Due to conflict in court's schedule final PT set for 5/4/98 at 2:00 pm is vacated and reset for 10:30 am 5/18/98 (issued on 10/20/97) (1 pgs) Judge David A. Katz (N,D) (Entered: 10/22/1997)	
11/03/1997	12	ATTORNEY APPEARANCE on behalf of plaintiff by atty Howard R.	

		Besser (2 pgs) (N,D) (Entered: 11/05/1997)	
11/18/1997	13	ORDER: telephone status conf held 11/17/97; discovery is ongoing; all previously scheduled dates remain as orig set (issued on 11/18/97) (1 pgs) Judge David A. Katz (N,D) (Entered: 11/19/1997)	
01/16/1998	14	MOTION by pltf to extend discovery and dispositive mot dates (6 pgs) (rec'd in Toledo for docketing 1/21/98) (N,D) (Entered: 01/21/1998)	
02/04/1998	15	ORDER: granting motion by pltf to extend discovery and dispositive dates [14-1]; status conf held 2/2/98; discovery to be complete 4/20/9 final pretrial conference of 5/4/98 is vacated & rescheduled for 2:30 pronon 7/27/98; Mtn filing ddl 5/15/98 with resp due 1 wk after filing & rescheduled for 9:00 a.m. on 8/11/98 pltf to submit stip re undisputed facts by 7/17/98, obj by 7/24/98; final stip by 7/31/98; trial briefs & mo of lime to be filed by 7/31/98. (issd) 2 pgs) Judge David A. Katz (R,Ci) (Enter 02/10/1998)	
05/14/1998	16	MOTION by plaintiff to extend time until 5/22/98 to file dispositive mand related briefs (3 pgs) (N,D) (Entered: 05/15/1998)	
05/19/1998	17	ORDER: granting pltf's motion to extend time until 5/22/98 to file dispositive mots and related briefs [16-1]; response due 1 wk after filing and reply due 1 wk thereafter (issued on 5/19/98) (1 pgs) Judge David A Katz (D,N) (Entered: 05/20/1998)	
05/22/1998	18	MOTION by deft to exceed page limitation; re: mot for SJ with memo (2 pgs) (D,N) (Entered: 05/26/1998)	
05/22/1998	19	NOTICE by defendant of filing deposition of Deborah Sue Hendricks (2 pgs) (D,N) (Entered: 05/26/1998)	
05/22/1998	20	DEPOSITION of Deborah Sue Hendricks taken on the following date(s) 11/20/97 on behalf of: deft (194 w/53 exh pgs) (D,N) (Entered: 05/26/1998)	
05/26/1998	21	MOTION by pltf for leave to file partial SJ and declarations instanter (pgs) (D,N) (Entered: 05/27/1998)	
05/26/1998	22	NOTICE by plaintiff of filing deposition transcript of Thomas Fees (2 pgs) (D,N) (Entered: 05/27/1998)	
05/26/1998	23	DEPOSITION of Thomas Fees taken on the following date(s): 11/25/97 on behalf of: pltf (160 w/75 exh pgs) (D,N) (Entered: 05/27/1998)	
05/26/1998	24	NOTICE by plaintiff of filing deposition of Donald S. Unruh (2 pgs) (D,N) (Entered: 05/27/1998)	
05/26/1998	25	DEPOSITION of Donald S. Unruh taken on the following date(s): 12/12/97 on behalf of: pltf (129 w/75 exh pgs) (D,N) (Entered: 05/27/1998)	
05/27/1998		MARGINAL ENTRY ORDER: granting motion by pltf for leave to file partial SJ and declarations instanter [21-1] (issued on 5/27/98) Judge	

		David A. Katz (D,N) (Entered: 06/01/1998)	
05/27/1998	27	DECLARATION by plaintiff of Lynn M. Gagyi in support of pltf EEOC's memo in support of mot for partial SJ [26-1] (5 w/4 attach pgs) (D,N) (Entered: 06/01/1998)	
05/27/1998	28	DECLARATION by Teresa Personen in support of pltf EEOC's memo is support of mot for partial SJ [26-1] (exhs 1-48 pgs) (D,N) (Entered: 06/01/1998)	
05/27/1998	26	(MOTION) and memo in support by plaintiff for partial summary judgment and declarations (20 pgs) (D,N) (Entered: 06/03/1998)	
05/28/1998		MARGINAL ENTRY ORDER: granting motion by deft to exceed page limitation [18-1] (issued on 5/28/98) Judge David A. Katz (D,N) (Entered: 06/01/1998)	
05/28/1998	29	MOTION by deft for summary judgment (24 w/10 exh pgs) (D,N) (Entered: 06/01/1998)	
05/29/1998	30	OPPOSITION by defendant to pltf's motion for partial summary judgment [26-1] (8 pgs) (D,N) (Entered: 06/03/1998)	
06/10/1998	31	MOTION by deft to strike certain exhibits (3 pgs) (D,N) (Entered: 06/11/1998)	
06/15/1998	32	OPPOSITION by plaintiff to motion by deft for summary judgment [29-1] (22 pgs) (D,N) (Entered: 06/16/1998)	
06/23/1998	33	REPLY by defendant to pltf's opp re: deft's mot for summary judgment [29-1] (6 pgs) (D,N) (Entered: 06/24/1998)	
07/06/1998	34	MOTION by pltf for leave to file brief in opp to deft's mot to strike certain exhs instanter (2 w/31 attach pgs) (D,N) (Entered: 07/07/1998)	
07/06/1998	35	REPLY by plaintiff to deft's brief in opp to pltf's motion for partial summary judgment [26-1] (12 w/7 attach pgs) (D,N) (Entered: 07/07/1998)	
07/09/1998		MARGINAL ENTRY ORDER: granting motion by pltf for leave to file brief in opp to deft's mot to strike certain exhs instanter [34-1] (issued or 7/9/98) Judge David A. Katz (D,N) (Entered: 07/13/1998)	
07/09/1998	36	OPPOSITION by plaintiff to motion by deft to strike certain exhibits [3 1] (5 w/25 attach pgs) (D,N) (Entered: 07/13/1998)	
07/10/1998	37	REPLY by defendant to pltf's opp to motion by deft to strike [31-1] (5 pgs) (D,N) (Entered: 07/14/1998)	
07/22/1998	38	MEMORANDUM OPINION: Both motions for SJ are denied [26-1] [29-1] [31-1] (issued on 7/22/98) (12 pgs) Judge David A. Katz (D,N) (Entered: 07/28/1998)	
07/22/1998	39	JUDGMENT ENTRY: denying pltf's motion for partial summary judgment [26-1], denying motion by deft for summary judgment [29-1],	

		deft's mot to strike is granted in part and denied in part, as set forth in memo opinion filed contemporaneously with the JE [31-1] (issued on 7/22/98) (1 pgs) Judge David A. Katz (D,N) (Entered: 07/28/1998)	
07/28/1998	40	ORDER: Ct conducted final PT on 7/27/98; trial date cont to 8/12/98; stip as to undisputed facts by 8/5/98; complete tr briefs and mots in limine on or before 8/5/98; proposed with list must be filed on or before 8/5/98 (issued on 7/28/98) (2 pgs) Judge David A. Katz (D,N) (Entered 07/31/1998)	
10/29/1998	41	MOTION by by joint parties for order approving consent decree (2 pgs) K,V) (Entered: 10/30/1998)	
11/03/1998	42	CONSENT DECREE: granting motion by parties (joint) for order approving consent decree; please refer to order for all details [41-1] (issued on 11/3/98) (4 w/2 exh pgs) Judge David A. Katz (D,N) (Entered: 11/05/1998)	
12/21/1998	43	POST-JUDGMENT MOTION by ptys to amend and enter amd consent decree (2 pgs) (D,N) (Entered: 12/22/1998)	
12/28/1998	44	AMENDMENT to Consent Decree; please refer to Consent Decree for all details [42-1]; Judge David A. Katz (5 w/2 exh pgs) (D,N) (Entered: 12/30/1998)	

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