

CLOSED

**U.S. District Court  
Northern District of West Virginia [Live] (Wheeling)  
CIVIL DOCKET FOR CASE #: 5:99-cv-00129-FPS**

E.E.O.C. v. Green Lance, Inc.  
Assigned to: District Judge Frederick P. Stamp, Jr  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/30/1999  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**E.E.O.C.**

represented by **M. Jean Clickner**  
Equal Employment Opportunity  
Commission  
1001 Liberty Ave.  
Liberty Center, Suite 300  
Pittsburgh, PA 15222  
412/644-6439  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Patrick M. Flatley**  
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**Wanda E. Flowers**  
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Commission  
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Philadelphia, PA 19106-2515  
215/597-0881  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Green Lance, Inc.**  
*doing business as*

represented by **David R. Johnson**  
Thomson, Rhodes & Cowie, PC

Burger King

1010 Two Chatham Center  
Pittsburgh, PA 15219-3499  
412/232-3400  
*LEAD ATTORNEY*  
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**William J. Ihlenfeld, II**  
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*LEAD ATTORNEY*  
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Date Filed	#	Docket Text
09/30/1999	1	COMPLAINT/NATURE OF ACTION filed; FILING FEE \$ wv. (Copy to Judge) (cc) (Entered: 09/30/1999)
09/30/1999		Sent application for Pro Hac Vice to counsel Wanda Flowers and J. Jean Clickner. (cc) (Entered: 09/30/1999)
10/13/1999		Received Application for Pro Hac Vice from counsel M. Jean Clickner. (original to Judge) (cc) (Entered: 10/20/1999)
10/28/1999		20 day SUMMONS(ES) issued for defendant Green Lance, Inc. (cc) (Entered: 10/28/1999)
10/28/1999	2	APPLICATION/ORDER for M. Jean Clickner to Appear Pro Hac Vice with local counsel Patrick Flatley for plaintiff. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) (cc) (Entered: 10/28/1999)
11/18/1999	3	AFFIDAVIT by E.E.O.C. of Thomas L. Edgell stating that he served dft that complaint. (sending summons) (cc) (Entered: 11/29/1999)
11/24/1999		SUMMONS(ES) issued for defendant Green Lance, Inc. (cc) (Entered: 11/29/1999)
11/29/1999	4	NOTICE of attorney appearance for Green Lance, Inc. by David R. Johnson. (c to Judge) (cc) (Entered: 11/29/1999)
11/29/1999	5	APPLICATION/ORDER for David R. Johnson to Appear Pro Hac Vice w/William J. Ihlenfeld as local counsel for defendant.( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) Paid fee of \$100.00; receipt # 31636 (cc) Modified on 11/29/1999 (Entered: 11/29/1999)
12/02/1999	6	PRAECIPE FOR APPEARANCE for Green Lance, Inc. by David R. Johnson. (c to Judge) (cc) (Entered: 12/06/1999)
12/02/1999	7	STIPULATION FOR EXTENSION OF TIME by parties for defendants to answer until 12/22/99. (Copy to Judge) (cc) (Entered: 12/06/1999)

12/09/1999	8	SUMMONS Returned Executed as to Green Lance, Inc. 11/13/99. Answer due on 12/3/99 for Green Lance, Inc. (cc) (Entered: 12/13/1999)
12/09/1999	9	ANSWER to Complaint by Green Lance, Inc. w/ jury demand (Copy to Judge) (cc) (Entered: 12/13/1999)
12/13/1999	10	FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING: Initial Planning Meeting by 2/3/00 ; Meeting Report and Proposed Disc Plan by 2/10/00 ; Submit Proposed Scheduling Order by 2/24/00 ; Initial Discovery Disclosures by 3/2/00 . (signed by Judge Frederick P. Stamp Jr. ) (Copies all counsel) (cc) (Entered: 12/13/1999)
02/07/2000	11	SCHEDULING ORDER: Setting Joining of parties,amending of pleadings on 7/21/00 ; Deadline for filing of all motions 9/15/00 ; Discovery cutoff 9/1/00 ; Pretrial conference for 11:00 on 12/18/00 ; Proposed Pretrial order to be submitted by 12/13/00 ; Final Settlement Conference at 11:00 on 12/18/00 ; Jury Trial, 3rd case at Wheeling, at 8:30 on 1/3/01 ; (signed by Judge Frederick Stamp Jr.) (copies to counsel, Judge) (soa) (Entered: 02/08/2000)
02/11/2000	12	CERTIFICATE OF SERVICE of Interrogatories (First Set) by E.E.O.C. on 2/10/00. (cc) (Entered: 02/18/2000)
02/11/2000	13	CERTIFICATE OF SERVICE of Request for Admissions (First Set) Directed to dft by E.E.O.C. on 2/10/00. (cc) (Entered: 02/18/2000)
03/16/2000	14	STIPULATION: For Extension of Time until 3/27/00 for def. to respond to discovery requests, etc. (Copy to Judge) (soa) (Entered: 03/21/2000)
04/06/2000	15	CERTIFICATE OF SERVICE of Pltff's Objections and Responses to Def's 1st Request for Production of Documents and all Exhibits thereto, served by E.E.O.C. on 4/5/00. (soa) (Entered: 04/12/2000)
04/11/2000	16	CERTIFICATE OF SERVICE of Pltff's Supplemental Response to Def's Interrogatories and Reqeust for Production of Documents, served by E.E.O.C. on 4/10/00. (soa) (Entered: 04/12/2000)
04/19/2000	17	CERTIFICATE OF SERVICE of Second Supplemental Response To Defendant's Interrogatories and Request for Production of Documents by E.E.O.C. on 4/18/00. (cc) (Entered: 04/25/2000)
04/24/2000	18	CERTIFICATE OF SERVICE of Request for Admissions (Second Set) Directed to defendant by E.E.O.C. on 4/21/00. (cc) (Entered: 04/25/2000)
05/16/2000	19	CERTIFICATE OF SERVICE of Notice of Deposition Duces Tecum to Burger King Corp. by E.E.O.C. on 5/15/00. (cc) (Entered: 05/18/2000)
05/19/2000	20	CERTIFICATE OF SERVICE of Second Notice of Depositions by E.E.O.C. on 5/18/00 of Kerry Mortis and Liz Huggins. (cc) (Entered: 05/25/2000)
07/11/2000	21	CERTIFICATE OF SERVICE of Third Request for Production of Documents, served by E.E.O.C. on 7/10/00. (soa) (Entered: 07/12/2000)
07/12/2000	22	CERTIFICATE OF SERVICE of Second Request for Production of Documents, served by E.E.O.C. on 7/7/00. (soa) (Entered: 07/12/2000)

07/20/2000	23	CERTIFICATE OF SERVICE of Objections and Responses to to Defendant's Second Request for Production by E.E.O.C. on 7/18/00. (cc) (Entered: 07/24/2000)
08/15/2000	24	CERTIFICATE OF SERVICE of documents designated as EEOC 0708 through EEOC 0745 by E.E.O.C. on 8/10/00. (cc) (Entered: 08/17/2000)
08/17/2000	25	FIRST JOINT STIPULATION OF FACTS by parties. (Copy to Judge) (cc) (Entered: 08/17/2000)
08/24/2000	26	MOTION by plaintiff E.E.O.C. to Compel Defendant's Response to Commission's Second and Third Requests for Production of Documents. (copy to Judge) (cc) (Entered: 08/24/2000)
08/25/2000	27	RESPONSE by Green Lance, Inc. to [26-1] Commission's Motion to Compel Defendant's Response to Commission's Second and Third Requets for Production of Documents. (c to Judge) (cc) (Entered: 08/28/2000)
08/28/2000	28	ORDER OF REFERENCE: Referring Motion(s) to Magistrate Judge James E. Seibert: re [26-1] motion to Compel and any other non-dispositive pre-trial motions filed in this case. (Signed by Judge Frederick P. Stamp Jr. ) (Copies to Judge, Magistrate Judge w/case file, Counsel) (cc) (Entered: 08/28/2000)
09/05/2000	29	ORDER: Motion Hearing set for 1:30 9/15/00 for [26-1] motion to Compel . ( signed by Magistrate Judge James E. Seibert ) (c to counsel, Judge, MJ JES) (cc) (Entered: 09/05/2000)
09/15/2000		Motion hearing held before Magistrate Seibert re: [26-1] motion to Compel. [Tape # 29 449-4820] (cc) (Entered: 09/15/2000)
09/29/2000	30	TRANSCRIPT filed of hearing before MJ Seibert on 9/15/00. [Jack Bell CR] (c to MJ) (cc) (Entered: 09/29/2000)
09/29/2000	31	MOTION (styled "Petition") by plaintiff E.E.O.C. for Payment of Costs . (copy to Judge, MJ JES) (cc) (Entered: 10/02/2000)
09/29/2000		Motion(s) referred: [31-1] motion for Payment of Costs referred to Magistrate Judge James E. Seibert. (cc) (Entered: 10/02/2000)
10/03/2000	32	ORDER CONFIRMING PRONOUNCED ORDER OF THE COURT: Objections to plaintiff's second and third requests for production are DENIED as untimely; granting [26-1] motion to Compel; Defendant is to produce all earnings statements and tax records and documentation reflecting fair market value and resale value of all property owned by defendant; such items shall be filed under SEAL ; Defendant is to produce all records with employee schedules and names from June 1998 through October 1998. Defendant is afforded an opportunity to be heard: Setting Hearing for 1:30 on 10/25/00 in the MJ's Courtroom. Plaintiff shall file an Affidavit with costs for bringing the motion to compel. ( signed by Judge James E. Seibert ) (c to counsel, Judge, MJ JES) [WSF-00-382] (cc) Modified on 10/03/2000 (Entered: 10/03/2000)
10/11/2000	33	SEALED DOCUMENTS (discovery material filed per [32-1] order dated 10/3/00) placed in vault. (cc) (Entered: 10/12/2000)

10/16/2000	34	SETTLEMENT WEEK ORDER: This civil action is scheduled for Settlement Week Mediation at 1:00 11/9/00 in Wheeling. ( signed by Judge Frederick P. Stamp Jr. )(Copies all counsel, Judge, Mediator, Clerk) (cc) (Entered: 10/16/2000)
10/30/2000	35	MOTION by plaintiff E.E.O.C. To Allow Counsel to Appear and Negotiate for Federal Plaintiff . (copy to Judge) (cc) (Entered: 10/30/2000)
10/31/2000		MEDIATION STATEMENT by EEOC. (c to Judge, Mediator) (cc) (Entered: 10/31/2000)
10/31/2000		Mediation Statement by defendant Green Lance Inc. (c to Judge, Mediator) (cc) (Entered: 10/31/2000)
11/02/2000	36	ORDER granting [35-1] motion To Allow Counsel to Appear and Negotiate for Federal Plaintiff. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge, mediator) (cc) (Entered: 11/03/2000)
11/03/2000	37	ORDER Vacating Opportunity to be heard hearing. ( signed by Magistrate Judge James E. Seibert ) (c to counsel, Judge, MJ JES) (cc) (Entered: 11/03/2000)
11/06/2000	38	MOTION by plaintiff E.E.O.C. to excuse Local Counsel . (copy to Judge w/Order) (rjs) (Entered: 11/07/2000)
11/07/2000	39	ORDER: granting [38-1] motion to excuse Local Counsel from Settlement Week mediation scheduled for 11/9/00 at 1:00 p.m. (signed by Judge Frederick P. Stamp Jr.) (copy to Judge, counsel of record and Mediator) (rjs) (Entered: 11/07/2000)
11/09/2000	40	MOTION by defendant Green Lance, Inc. to Amend Scheduling Order to Continue Trial and Pretrial Dates . (copy to Judge) (soa) (Entered: 11/09/2000)
11/09/2000	41	SETTLEMENT WEEK CONFERENCE REPORT - case was not settled. (Copy to Judge & Clerk) (rjs) (Entered: 11/13/2000)
11/15/2000	42	RESPONSE by E.E.O.C. to [40-1] motion to Amend Scheduling Order to Continue Trial and Pretrial Dates. (c to Judge) (cc) (Entered: 11/15/2000)
11/17/2000	43	ORDER Setting Status Conference for 10:00 11/21/00 , Setting Scheduling Conference for 10:00 11/21/00 ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel by fax and regular U.S. Mail, c to Judge) (cc) (Entered: 11/17/2000)
11/17/2000	44	NOTICE of attorney appearance for Green Lance, Inc. by William J. Ihlenfeld. (c to Judge) (cc) (Entered: 11/17/2000)
11/21/2000	45	ORDER granting [40-1] motion to Amend Scheduling Order to Continue Trial and Pretrial Dates: Amended Scheduling Order Deadlines: Deadline for filing of all motions by Discovery deadline on 7/2/01; Pretrial conference on 1:15 9/14/01; Proposed Pretrial order to be submitted by 9/19/01; Final Settlement Conference at 1:15 9/24/01; Jury Trial on 10/10/01, 8:30 a.m. in Wheeling; third case. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) (cc) (Entered: 11/21/2000)
11/21/2000		Status conference held before Judge Stamp. (soa) (Entered: 11/22/2000)
11/21/2000		Scheduling conference held before Judge Stamp. (soa) (Entered: 11/22/2000)

06/20/2001	46	SETTLEMENT WEEK ORDER: This civil action is scheduled for Settlement Week Mediation at 9:00 7/17/01 in Wheeling ( signed by Judge Frederick P. Stamp Jr. )(Copies all counsel, Judge, Clerk, Mediator) (cc) (Entered: 06/20/2001)
07/02/2001	47	MOTION by plaintiff E.E.O.C. to Excuse Local Counsel from appearing at mediation. (copy to Judge) (cc) (Entered: 07/03/2001)
07/02/2001	48	CERTIFICATE OF SERVICE of Objections and Response to Defendant's Second Set of Interrogatories and All Exhibits by E.E.O.C. on 6/28/01. (cc) (Entered: 07/03/2001)
07/02/2001	49	CERTIFICATE OF SERVICE of Objections and Responses to Defendant's Third Request for Production by E.E.O.C. on 6/28/01. (cc) (Entered: 07/03/2001)
07/03/2001	50	ORDER granting [47-1] motion to Excuse Local Counsel from attending mediation. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge, mediator, clerk) (cc) (Entered: 07/03/2001)
07/06/2001	51	MOTION with memorandum in support by E.E.O.C. To Allow Counsel to Appear and Negotiate for Federal Plaintiff. (c to Judge w/proposed order) (cc) (Entered: 07/06/2001)
07/09/2001		Commission's SECOND MEDIATION STATEMENT. (Copy to Judge & Mediator) (rjs) (Entered: 07/09/2001)
07/10/2001		SUPPLEMENTAL MEDIATION STATEMENT by Defendant received. (copy to Judge & Mediator) (rjs) (Entered: 07/11/2001)
07/16/2001	52	ORDER granting [51-1] motion To Allow Counsel to Appear and Negotiate for Federal Plaintiff. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel by fax and regular U.S. Mail, c to Judge, mediator) (cc) Modified on 07/16/2001 (Entered: 07/16/2001)
07/17/2001	53	SETTLEMENT WEEK CONFERENCE REPORT by mediator: this case did not settle. (Copy to Judge) (cc) (Entered: 07/17/2001)
08/31/2001	54	ORDER: Rescheduling Pretrial Conference for 12:00 p.m. on 9/27/01. (signed by Judge Frederick P. Stamp Jr.) (copy to Judge & all counsel of record) (rjs) (Entered: 08/31/2001)
09/06/2001	55	ORDER Rescheduling Pretrial Conference for 10:00 9/28/01. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) (cc) (Entered: 09/06/2001)
09/11/2001	56	MOTION by plaintiff E.E.O.C. To Excuse Local Counsel . (copy to Judge) (cc) (Entered: 09/12/2001)
09/12/2001	57	ORDER granting [56-1] motion To Excuse Local Counsel from attending pre-trial conference on 9/28/01. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) (cc) (Entered: 09/12/2001)
09/26/2001	58	ORDER OF DISMISSAL : this case has been compromised and settled and is DISMISSED and retired from the docket of the Court, subject to reopening within 90 days. ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) [WSF-01-360] (cc) (Entered: 09/26/2001)

09/26/2001		Case closed ; W.S.F.: 01-360 (cc) (Entered: 09/26/2001)
10/15/2001	59	STIPULATION AND ORDER OF DISMISSAL , w/Settlement Agreement ( signed by Judge Frederick P. Stamp Jr. ) (c to counsel, Judge) [WSF-01-360] (cc) (Entered: 10/15/2001)

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