

CLOSED

**U.S. District Court
District of South Carolina (Greenville)
CIVIL DOCKET FOR CASE #: 6:02-cv-01783-TLW-WMC**

EEOC, et al v. Freeman Mechanical, et al
Assigned to: Judge Terry L Wooten
Referred to: Magistrate Judge William M Catoe
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 05/22/2002
Date Terminated: 03/05/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Edwin Lake Turnage**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Don Abrams

represented by **Charles Clark, III**
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Movant

Don Abrams

represented by **Charles Clark, III**
(See above for address)
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V.

Defendant**Freeman Mechanical Inc**

represented by **W Andrew Arnold**
 Arnold and Arnold
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Defendant**Freeman Mechanical LLC***TERMINATED: 10/17/2002***Defendant****FMC of Greenville Inc**

represented by **W Andrew Arnold**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**FMC of Atlanta LLC**

Date Filed	#	Docket Text
05/22/2002	<u>1</u>	COMPLAINT; Scheduling order due by 8/30/02 Service due by 9/19/02 for Freeman Mechanical (jtho) (Entered: 05/23/2002)
05/22/2002	<u>2</u>	SUMMONS issued for defendant Freeman Mechanical (jtho) (Entered: 05/23/2002)
06/17/2002	<u>3</u>	ANSWER to Local Rule 26 Interrogatories by plaintiff EEOC; jury demand (dnap) (Entered: 06/18/2002)
07/08/2002	<u>4</u>	AFFIDAVIT OF SERVICE of summons and complaint executed as to defendant Freeman Mechanical 6/18/02 Assignment Interrogatories due on 7/18/02 for Freeman Mechanical ; Answer due on 7/8/02 for Freeman Mechanical. (jtho) (Entered: 07/09/2002)
07/22/2002	<u>5</u>	AMENDED COMPLAINT by plaintiff EEOC , (Answer due 8/1/02 for Freeman Mechanical) Service due by 11/19/02 for Freeman Mechanical amending [1-1] complaint against defendant Freeman Mech LLC, FMC of Greenville; jury demand (jtho) (Entered: 07/22/2002)
07/25/2002	<u>6</u>	ANSWER to Complaint by defendant Freeman Mechanical, defendant FMC of Greenville (Attorney W. Andrew Arnold), Assignment Interrogatories due on

		8/5/02 for FMC of Greenville, for Freeman Mechanical ; (jtho) (Entered: 07/29/2002)
07/25/2002	7	ANSWER to Local Rule 26 Interrogatories by defendant Freeman Mechanical, defendant FMC of Greenville (jtho) (Entered: 07/29/2002)
07/30/2002	8	CONFERENCE AND SCHEDULING ORDER setting 26(f) Conference no later than 8/19/02 ; 26(a) Initial Disclosures served by 9/3/02 ; 26(f) Report filed by 9/3/02 ; Joining of parties,amending of pleadings on 9/23/02 ; Plaintiff's ID of Experts set for 10/23/02 ; Defendant's ID of Experts set for 11/22/02 ; Records Custodian Affidavit filed by 5/2/03 ; Discovery cutoff 4/18/03 ; Motion In Limine filed by 5/26/02 ; Deadline for filing of all motions 4/3/03 ; 26(a)3 Pretrial Disclosures filed by 5/2/03 ; Pretrial Brief filed by 5/26/03 ; Jury Selection deadline set for 6/2/03 ; ADR Statement/Cert due by 4/3/03 Mediation deadline for 5/19/03 (signed by Judge Terry L. Wooten) eod 7/30/02, svd. (jtho) (Entered: 07/30/2002)
08/01/2002	9	AFFIDAVIT OF SERVICE of summons and complaint executed as to defendant Freeman Mechanical 7/24/02 Assignment Interrogatories due on 8/23/02 for Freeman Mechanical ; Answer due on 8/13/02 for Freeman Mechanical executed by certified mail (jtho) (Entered: 08/01/2002)
08/13/2002	10	MOTION by plaintiff EEOC for entry of default as to Freeman Mechanical, Inc. (jtho) (Entered: 08/13/2002)
08/14/2002	11	AFFIDAVIT OF SERVICE of summons and complaint executed as to defendant Freeman Mechanical 8/5/02 Assignment Interrogatories due on 9/4/02 for Freeman Mechanical ; Answer due on 8/26/02 for Freeman Mechanical executed by certified mail (jtho) (Entered: 08/15/2002)
08/16/2002	12	AMENDED MOTION by plaintiff EEOC for entry of default as to Freeman Mechanical (jtho) (Entered: 08/16/2002)
08/23/2002	13	RESPONSE by defendant FMC of Greenville to [12-1] motion for entry of default as to Freeman Mechanical (jtho) (Entered: 08/27/2002)
09/03/2002	14	AMENDED ANSWER to Local Rule 26 Interrogatories by defendant Freeman Mechanical Inc., defendant FMC of Greenville (jtho) (Entered: 09/04/2002)
09/03/2002	15	26(f) Report by EEOC, Freeman Mechanical, FMC of Greenville . Parties disagree to Conference and Scheduling Order. (jtho) (Entered: 09/04/2002)
09/03/2002	16	26(f) Answers to Local Rule 26 Interrogatories by Freeman Mechanical, FMC of Greenville . (jtho) Modified on 03/07/2003 (Entered: 09/04/2002)
09/03/2002	17	26(f) Answers to Local Rule 26 Interrogatories by EEOC . (jtho) (Entered: 09/04/2002)
09/09/2002	18	CONSENT AMENDED CONFERENCE AND SCHEDULING ORDER setting Joining of parties,amending of pleadings on 10/21/02 ; Plaintiff's ID of Experts set for 12/16/02 ; Defendant's ID of Experts set for 1/13/03 ; Records Custodian Affidavit filed by 4/14/03 ; Discovery cutoff 5/16/03 ; Motion In Limine filed by 7/28/03 ; Deadline for filing of all motions 6/2/03 ; 26(a)3 Pretrial Disclosures filed by 7/14/03 ; Pretrial Brief filed by <date not set> ; Jury Selection deadline set for 8/4/03 ; ADR Statement/Cert due by 3/5/03 Mediation deadline for 4/3/03

		(signed by Magistrate Judge William M. Catoe) eod 9/9/02, svd. (jtho) (Entered: 09/09/2002)
09/12/2002	19	MOTION by plaintiff EEOC for entry of default as to Freeman Mechanical (jtho) (Entered: 09/12/2002)
09/16/2002		Minute entry: mootng [12-1] motion for entry of default as to Freeman Mechanical - second amended motion for entry of default filed 9/12/02. (jtho) (Entered: 09/16/2002)
09/16/2002	20	CLERK'S ENTRY OF DEFAULT as to defendant Freeman Mechanical granting [19-1] motion for entry of default as to Freeman Mechanical (jtho) (Entered: 09/16/2002)
09/23/2002	24	MOTION by movant Don Abrams to join (fbos) (Entered: 10/16/2002)
09/24/2002	21	ANSWER to Complaint by defendant FMC of Greenville (Attorney W. Andrew Arnold) (jtho) (Entered: 09/24/2002)
10/07/2002	22	MOTION with exhibits A and B by plaintiff EEOC to amend [1-1] complaint , for issuance of an amended summons (jtho) Modified on 10/07/2002 (Entered: 10/07/2002)
10/10/2002	23	ORDER granting [22-1] motion to amend [1-1] complaint, granting [22-2] motion for issuance of an amended summons (signed by Magistrate Judge William M. Catoe) eod 10/10/02, svd. (jtho) (Entered: 10/10/2002)
10/17/2002		AMENDED COMPLAINT by plaintiff EEOC , (Answer due 10/28/02 for FMC of Greenville, for Freeman Mechanical) amending [1-1] complaint against defendant FMC of Atlanta LLC; jury demand (jtho) (Entered: 10/17/2002)
10/17/2002	25	AMENDED COMPLAINT by plaintiff EEOC , (Answer due 10/28/02 for FMC of Atlanta LLC, for FMC of Greenville, for Freeman Mechanical) amending [1-1] complaint - adding party FMC of Atlanta LLC, terminating party FMC LLC; jury demand (jtho) (Entered: 10/17/2002)
10/17/2002	26	SUMMONS issued for defendant FMC of Atlanta LLC (jtho) (Entered: 10/17/2002)
10/23/2002	27	MOTION by defendant FMC of Greenville to dismiss , or in the alternative to strike all demands and prayers for relief seeking punitive damages, injunctive relief, and all other relief not necessary to make Don Abrams whole from the Second Amended Complaint (jtho) (Entered: 10/24/2002)
10/23/2002	28	MEMORANDUM by defendant FMC of Greenville in support of [27-1] motion to dismiss, [27-2] motion to strike all demands and prayers for relief seeking punitive damages, injunctive relief, and all other relief not necessary to make Don Abrams whole from the Second Amended Complaint (jtho) (Entered: 10/24/2002)
10/25/2002	29	ORDER granting [24-1] motion to join Don Abrams to join this action as a party plaintiff (signed by Magistrate Judge William M. Catoe) eod 10/25/02, svd. (jtho) (Entered: 10/25/2002)
11/07/2002	30	RESPONSE by plaintiff EEOC to [27-1] motion to dismiss, [27-2] motion to strike all demands and prayers for relief seeking punitive damages, injunctive

		relief, and all other relief not necessary to make Don Abrans whole from the Second Amended Complaint (jtho) (Entered: 11/08/2002)
11/20/2002	31	NOTICE of Hearing before Magistrate Judge William M. Catoe set Motion Hearing to 11:00 12/11/02 for [27-1] motion to dismiss (jtho) (Entered: 11/20/2002)
11/20/2002	32	NOTICE of Hearing before Magistrate Judge William M. Catoe reset Motion Hearing to 10:00 12/11/02 for [27-1] motion to dismiss (jtho) (Entered: 11/20/2002)
11/25/2002	33	AFFIDAVIT OF SERVICE of summons and complaint executed as to defendant FMC of Atlanta LLC 11/15/02 Assignment Interrogatories due on 12/16/02 for FMC of Atlanta LLC ; Answer due on 12/5/02 for FMC of Atlanta LLC executed by certified mail. Acknowledgement of Receipt attached. (jtho) Modified on 11/25/2002 (Entered: 11/25/2002)
11/25/2002	34	MOTION by plaintiff EEOC for partial summary judgment (jtho) (Entered: 11/25/2002)
11/25/2002	35	MEMORANDUM with exhibits A-F by plaintiff EEOC in support of [34-1] motion for partial summary judgment (jtho) (Entered: 11/25/2002)
12/11/2002	36	MOTION HEARING [34-1] motion for partial summary judgment, [27-1] motion to dismiss held ORAL ORDER [34-1] motion for partial summary judgment taken under advisement, [27-1] motion to dismiss taken under advisement (before Magistrate Judge William M. Catoe) Court Reporter: Kirkley. (kric) (Entered: 12/11/2002)
12/13/2002	37	REPORT AND RECOMMENDATIONS of Magistrate Judge William M. Catoe Re: [34-1] motion for partial summary judgment be denied, [27-1] motion to dismiss be denied ; Motion no longer referred Objections to R and R due by 1/3/03. eod 12/13/02, svd. (jtho) (Entered: 12/13/2002)
12/30/2002	38	OBJECTION by plaintiff EEOC to [37-1] report and recommendations (acas) (Entered: 12/31/2002)
01/13/2003	39	AMENDED CONFERENCE AND SCHEDULING ORDER setting Joining of parties,amending of pleadings on 10/21/02 ; Plaintiff's ID of Experts set for 4/1/03 ; Defendant's ID of Experts set for 4/14/03 ; Records Custodian Affidavit filed by 4/14/03 ; Discovery cutoff 5/16/03 ; Motion In Limine filed by 7/28/03 ; Deadline for filing of all motions 6/2/03 ; Mediation deadline for 4/3/03 Mediation Statement filed by 3/5/03 ; 26(a)3 Pretrial Disclosures filed by 7/14/03 ; Pretrial Brief filed by 7/28/03 ; Jury Selection deadline set for 8/4/03 ; (signed by Magistrate Judge William M. Catoe)eod 1/13/03, svd. (jtho) (Entered: 01/13/2003)
02/03/2003	40	AFFIDAVIT OF DEFAULT by plaintiff EEOC as to defendant FMC of Atlanta LLC . Party not an infant, not incompetent, nor in the military, has been served on November 25, 2002. (jtho) (Entered: 02/03/2003)
02/03/2003	40	CLERK'S ENTRY OF DEFAULT as to defendant FMC of Atlanta LLC (jtho) (Entered: 02/03/2003)

02/19/2003	41	TRANSCRIPT OF MOTIONS HEARING filed for dates of December 11, 2002 before Magistrate Judge William M. Catoe held in Greenville, SC Court Reporter: Geri Kirkley (jtho) (Entered: 02/19/2003)
03/05/2003	42	ORDER approving Consent Decree of settlement. Parties shall bear their own attorney's fees and costs. (signed by Judge Terry L. Wooten) eod 3/6/03, svd. (acas) (Entered: 03/06/2003)
03/05/2003		Case closed (acas) (Entered: 03/06/2003)

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