

CASREF, TERMED

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (Hammond)
CIVIL DOCKET FOR CASE #: 2:04-cv-00437-RL-APR**

Equal Employment Opportunity Commission v. Flying J Inc
Assigned to: Judge Rudy Lozano
Referred to: Magistrate Judge Andrew P Rodovich
Cause: 29:621 Job Discrimination (Age)

Date Filed: 10/20/2004
Date Terminated: 03/16/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Mediator

John R Van Winkle

represented by **John R Van Winkle**
VanWinkle Dispute Resolution
111 Monument Circle Suite 402
Indianapolis, IN 46204-5170
317-231-6320
PRO SE

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Laurie A Young**
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V.

Defendant**Flying J Inc**

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Date Filed	#	Docket Text
10/20/2004	<u>1</u>	COMPLAINT with Jury Demand against Flying J Inc , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(plm,) (Entered: 10/21/2004)
10/20/2004	<u>2</u>	NOTICE of Appearance by Michelle F Eisele on behalf of Equal Employment Opportunity Commission (plm,) (Entered: 10/21/2004)
10/20/2004	<u>3</u>	NOTICE of Appearance by Laurie A Young on behalf of Equal Employment Opportunity Commission (plm,) (Entered: 10/21/2004)
10/20/2004	<u>4</u>	NOTICE of Appearance by Nancy Dean Edmonds on behalf of Equal Employment Opportunity Commission (plm,) (Entered: 10/21/2004)
10/21/2004	<u>5</u>	Summons Issued as to Flying J Inc. (plm,) (Entered: 10/21/2004)
11/05/2004	<u>6</u>	AFFIDAVIT of Service for Summons; return receipt, filed by Equal Employment Opportunity Commission. (Edmonds, Nancy) (Entered: 11/05/2004)

11/09/2004		ORDER approving application for admission to practice pro hac vice for James M.L. Ferber. (Fee paid) Signed by Judge Andrew P Rodovich on 11/9/04. (plm,) (Entered: 11/10/2004)
11/09/2004		ORDER approving application for admission to practice pro hac vice for Attorney Margaret C. Bettendorf. (Fee paid) Signed by Judge Andrew P Rodovich on 11/9/04. (plm,) (Entered: 11/10/2004)
11/09/2004	<u>7</u>	AGREED NOTICE to extend time to file answer (plm,) (Entered: 11/10/2004)
11/16/2004	<u>8</u>	NOTICE of Hearing: Rule 16 Preliminary Pretrial Conference set for 1/28/2005 11:30 AM in Hammond before Magistrate Judge Andrew P Rodovich. (kjp,) (Entered: 11/18/2004)
11/18/2004	<u>9</u>	MAGISTRATE CONSENT FORMS sent to all parties (Standard Track). (kjp,) (Entered: 11/18/2004)
12/07/2004	<u>10</u>	ANSWER to <u>1</u> Complaint by Flying J Inc.(Ferber PHV, James) (Entered: 12/07/2004)
12/22/2004	<u>11</u>	REPORT of Rule 26(f) Planning Meeting. (Edmonds, Nancy) (Entered: 12/22/2004)
01/28/2005	<u>12</u>	Minute Entry for proceedings held before Judge Andrew P Rodovich : RULE 16 PRELIMINARY PRETRIAL CONFERENCE held on 1/28/2005. Plf rep by Nancy Edmonds via telephone. Dft rep by James Ferber and Margaret Bettendorf in person. Any amendments to the pleadings to be filed by 3/18/2005. Plaintiff expert witness disclosures and reports to be delivered to the defendant by 7/15/2005. Defendant expert witness disclosures and reports to be delivered to the plaintiff by 8/15/2005. Fact discovery deadline is 7/29/05. Discovery deadline is 9/15/2005. Dispositive and Daubert motions to be filed by 10/14/2005. Response to be filed by 11/14/2005. Reply to be filed by 11/30/2005. Plaintiff portions of the pretrial order shall be served upon defendant by 2/15/2006. Defendant shall prepare and file the pretrial order by 3/15/2006. Jury Trial (1st setting) for 3 days set for 4/10/2006 08:30 AM in Hammond before Judge Rudy Lozano. Final Pretrial Conference set for 3/31/2006 09:00 AM in Hammond before Judge Rudy Lozano. (plm,) (Entered: 01/28/2005)
01/31/2005	<u>13</u>	ORDER CONTROLLING TRIAL. Signed by Judge Andrew P Rodovich on 1/31/05. (plm,) (Entered: 01/31/2005)
06/17/2005	<u>14</u>	Joint MOTION for Extension of Time to Complete Discovery (<i>Fact</i>) by Plaintiff Equal Employment Opportunity Commission, Defendant Flying J Inc. (Ferber PHV, James) (Entered: 06/17/2005)
06/17/2005	<u>15</u>	NOTICE OF ENDORSEMENT of <u>14</u> Joint MOTION for Extension of Time to Complete Discovery (<i>Fact</i>) by Equal Employment Opportunity Commission (Edmonds, Nancy) Additional attachment(s) added on 6/21/2005 (smp,). (Entered: 06/17/2005)
06/21/2005	<u>16</u>	ORDER granting <u>14</u> Motion for Extension of Time to Complete Discovery. Discovery deadline is reset to 9/15/2005. Signed by Judge Andrew P Rodovich on 6/21/05. (jld) (Entered: 06/21/2005)

08/16/2005	17	MOTION for Extension of Time to Complete Discovery (<i>Expert</i>), <i>Alter Expert Report Dates and Modify Case Management Plan</i> by Plaintiff Equal Employment Opportunity Commission. (Edmonds, Nancy) (Entered: 08/16/2005)
08/16/2005	18	MEMORANDUM in Support of 17 MOTION for Extension of Time to Complete Discovery (<i>Expert</i>), <i>Alter Expert Report Dates and Modify Case Management Plan</i> filed by Equal Employment Opportunity Commission. (Edmonds, Nancy) (Entered: 08/16/2005)
08/19/2005	19	RESPONSE to Motion re 17 MOTION for Extension of Time to Complete Discovery (<i>Expert</i>), <i>Alter Expert Report Dates and Modify Case Management Plan and Request for Scheduling Conference to Reset Dates</i> filed by Flying J Inc. (Ferber PHV, James) (Entered: 08/19/2005)
08/22/2005	20	NOTICE OF TELEPHONIC STATUS on 17 MOTION for Extension of Time to Complete Discovery (<i>Expert</i>), <i>Alter Expert Report Dates and Modify Case Management Plan</i> : Telephonic Status set for 9/16/2005 11:30 AM in Hammond before Magistrate Judge Andrew P Rodovich. (Court to initiate the conference call.) (plm,) (Entered: 08/22/2005)
08/25/2005	21	REPLY to Response to Motion re 17 MOTION for Extension of Time to Complete Discovery (<i>Expert</i>), <i>Alter Expert Report Dates and Modify Case Management Plan</i> filed by Equal Employment Opportunity Commission. (Edmonds, Nancy) (Entered: 08/25/2005)
09/16/2005	22	Minute Entry for proceedings held before Judge Andrew P Rodovich : TELEPHONIC STATUS CONFERENCE held on 9/16/2005. Plf rep by Nancy Edmonds. Dft rep by James Ferber. Plf's MOTION 17 for Extension of Time to Complete Expert Discovery, Alter Expert Report Dates and Modify Current Case Management Plan is GRANTED. The following deadlines are set: Defendant expert witness disclosures and reports to be delivered to the plaintiff by 11/15/2006. Discovery deadline is 12/30/2006. Dispositive motions to be filed by 1/31/2006. Response to be filed by 3/10/2006. Reply to be filed by 3/31/2006. Plaintiff portions of the pretrial order shall be served upon defendant by 7/14/2006. Defendant shall prepare and file the pretrial order by 8/15/2006. Jury Trial (2nd setting) 3-4 days set for 9/11/2006 08:30 AM in Hammond before Judge Rudy Lozano. Final Pretrial Conference set for 9/1/2006 09:30 AM in Hammond before Judge Rudy Lozano. (plm,) (Entered: 09/19/2005)
09/26/2005	23	TRIAL MANAGEMENT ORDER: Signed by Judge Andrew P Rodovich on 9/26/05. (Revised 2/15/05)(plm,) (Entered: 09/26/2005)
10/14/2005	24	MOTION for Order to Show Cause <i>Why Marcus Nobles and Shalanda Cheairs Should Not Be Held In Contempt of Court for Failure to Appear for Deposition</i> by Defendant Flying J Inc. (Attachments: # 1 Exhibit A - Plaintiff's Initial Disclosures# 2 Exhibit B - Supplemental Answers to Interrogatories# 3 Exhibit C - Letter to Marcus Nobles# 4 Exhibit D Letter to Shalanda Cheairs# 5 Exhibit E - Affidavit of James Ferber# 6 Exhibit F - Court Reporter's Certificate Regarding Nobles# 7 Exhibit G - Court Reporter's Certificate Regarding Cheairs)(Ferber PHV, James) (Entered: 10/14/2005)
10/14/2005	25	MEMORANDUM in Support of 24 MOTION for Order to Show Cause <i>Why Marcus Nobles and Shalanda Cheairs Should Not Be Held In Contempt of Court</i>

		<i>for Failure to Appear for Deposition</i> filed by Flying J Inc. (Ferber PHV, James) (Entered: 10/14/2005)
11/14/2005	26	ORDER Setting Hearing on Motion 24 MOTION for Order to Show Cause <i>Why Marcus Nobles and Shalanda Cheairs Should Not Be Held In Contempt of Court for Failure to Appear for Deposition</i> : Motion Hearing set for 12/21/2005 9:30 AM CST in Hammond before Magistrate Judge Andrew P Rodovich.. Signed by Judge Andrew P Rodovich on 11/14/05. (kds) (Entered: 11/14/2005)
12/21/2005	27	SHOW CAUSE HEARING held on 12/21/2005 before Judge Andrew P Rodovich. Plaintiff appeared by attorney Michelle Eisele. Defendant appeared by attorney James Ferber. Shalanda Cheairs appears. Dft requests that a deposition of Shalanda Cheairs proceed today. Plf requests a continuance. Denied. Dft requests that Marcus Nobles be excluded from testifying at trial because he fails to appear. Ct orders bench warrant be issued for Marcus Nobles for failure to appear. The deposition of Shalanda Cheairs will proceed on this date at 10:30 AM. (Digitally Recorded.) (plm,) (Entered: 12/29/2005)
01/03/2006	28	BENCH WARRANT issued as to Marcus Nobles (plm,) (Entered: 01/03/2006)
01/24/2006	29	Joint MOTION for Extension of Time to File <i>Dispositive and Daubert Motions</i> by Equal Employment Opportunity Commission, Flying J Inc. (Ferber PHV, James) (Entered: 01/24/2006)
01/30/2006	30	ORDER granting 29 Motion for Extension of Time to File. Dispositive and daubert motions deadline extended from 1/31/06 to 2/28/2006. Signed by Judge Andrew P Rodovich on 1/30/06. (kds) (Entered: 01/31/2006)
02/24/2006	31	Joint MOTION for Extension of Time to File <i>Dispositive and Daubert Motions</i> by Equal Employment Opportunity Commission, Flying J Inc. (Ferber PHV, James) (Entered: 02/24/2006)
03/01/2006	32	ORDER granting 31 Motion for Extension of Time to File. Dispositive motions deadline extended to 3/31/2006. Signed by Judge Andrew P Rodovich on 3/1/06. (kds) (Entered: 03/02/2006)
03/14/2006	33	Joint MOTION for Settlement <i>Entry of Consent Decree</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Consent Decree)(Edmonds, Nancy) (Entered: 03/14/2006)
03/16/2006	34	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to 33 Joint MOTION for Settlement <i>Entry of Consent Decree Modified Consent Decree</i> . (Edmonds, Nancy) (Entered: 03/16/2006)
03/16/2006	35	ORDER granting 33 Joint Motion for Entry of Consent Decree. Signed by Judge Rudy Lozano on 3/16/06. (efc,) (Entered: 03/21/2006)
03/16/2006	37	CONSENT DECREE. Signed by Judge Rudy Lozano on 3/16/06. (efc,) (Entered: 03/28/2006)
03/17/2006	36	ORDER recalling [28] Bench Warrant Issued as to Marcus Nobles. Signed by Judge Andrew P Rodovich on 3/17/06. (efc,) (Entered: 03/21/2006)

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