CLOSED, USMJ_Mason

U.S. District Court EASTERN DISTRICT OF NORTH CAROLINA (Western Division) CIVIL DOCKET FOR CASE #: 5:97-cv-00969-H

Equal Employment v. Abbott Laboratories, Assigned to: Judge Malcolm J. Howard

Demand: \$0

Cause: 42:2000 Job Discrimination (Race)

Date Filed: 12/09/1997

Date Terminated: 07/27/1998

Jury Demand: Plaintiff

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

Plaintiff

Equal Employment Opportunity Commission

represented by Lynette A. Barnes

EEOC/ Charlotte District Officed

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V.

Defendant

Abbott Laboratories, Incorporated

represented by Catherine E. Thompson

Smith, Helms, Mullis & Moore

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| Date Filed # | | Docket Text | | |
|--------------|---|--|--|--|
| 12/09/1997 | 1 | Complaint filed under Title VII alleging discrimination based on race. JURY DEMAND. (ll) (Entered: 12/29/1997) | | |
| 12/09/1997 | | (ll) (Entered: 12/29/1997) | | |
| 01/08/1998 | 2 | Notice of attorney appearance for Abbott Laboratories, by Catherine E. Thompson, George Jerald Oliver as local counsel. (dh) (Entered: 01/12/1998) | | |
| 01/12/1998 | 3 | Order Provisionally Approving Consent Decree - Notice shall be given of this Provisionally Approved Consent Decree by the Commission, at its sole expense, to all Native-Americans presently or formerly employed by Abbott Laboratories, Inc. at its Rocky Mount facility from November 21, 1991 until the date of filing of the Consent Decree. Notice shall be given on or before Jan. 26, 1998 in the form attached and incorporated as Exhibit D to the Consent Decree, with delivery by certified and regular mail. Any objection to Final Approval of the Consent Decree, or requests to opt-put of the class, shall be filed in writing with the clerk's office on or before Feb. 26, 1998. A fairness hearing will be held by this court if not waived, at the US Courthouse Greenville, NC on April 7, 1998 at 10:00 a.m. cys served. cy to CSO. calendar copy. signed by Malcolm J. Howard, US Judge. OB Ref: CIV OB# 56, P-58 (dh) (Entered: 01/12/1998) | | |
| 01/12/1998 | 4 | Consent Decree - for Equal Employment against Abbott Laboratories, signed by Malcolm J. Howard, US Judge. OB Ref: CIV OB# 56, P-59, w/attached exhibits A - F. cys served. (dh) (Entered: 01/12/1998) | | |
| 02/03/1998 | 5 | Document filed by Michelle D. High titled: Objection to Notice of Proposed Settlement of Class Action and Proposed Distribution List. (ll) (Entered: 03/02/1998) | | |
| 02/19/1998 | 6 | Document filed by Connie M. Walters - Objection (in letter form) to Notice of Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | | |
| 02/20/1998 | 7 | Document filed by Kimeka W. Savage - Objection to Proposed Settlement of Class Action in letter form. (ll) (Entered: 03/02/1998) | | |

| 02/23/1998 | 8 | Document filed by Harrison Lynch - Objection to Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | |
|---|----|--|--|
| 02/23/1998 | 9 | Document filed by Jack Lynch - Objection to Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | |
| 02/23/1998 | 10 | Document filed by Wilma Mill - Objection to Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | |
| 02/24/1998 | 11 | Document filed by Vonda Wilson - Objection to Proposed Settlement of Class Action in letter form. (ll) (Entered: 03/02/1998) | |
| 02/24/1998 | 12 | Document filed by Alma Lynch - Objection to Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | |
| 02/26/1998 | 13 | Document filed by Linda Wilson - Objection to Proposed Settlement of Class Action. (ll) (Entered: 03/02/1998) | |
| 04/01/1998 | 14 | Document filed by plaintiff Equal Employment titled: Response to Objections to Consent Decree. w/cs and attachments. (ll) (Entered: 04/01/1998) | |
| 04/01/1998 | 15 | Affidavit of Lynette A. Barnes by Equal Employment Re: [14-1] Response to Objections to Consent Decree. (ll) (Entered: 04/01/1998) | |
| 04/01/1998 | | Case submitted to: Judge Howard [0-0] relief set fairness hearing before Judge Malcolm J. Howard to 10:00 4/7/98 in G'ville. (ll) (Entered: 04/01/1998) | |
| 04/07/1998 | | Miscellaneous hearing re: [4-1] consent judgment order and objections thereto before Judge Malcolm J. Howard. COURT REPORTER: KEN MACKENZIE. Counsel present: Plaintiff: Lynette Barnes and Rosemary Fox. Defendant: George Oliver and Nancy Rafuse. Objector, Michelle High: David Silver. Court hears from counsel and all objectors who were present (Harrison Lynch, Kimeka W. Savage, Jack Lynch, Wilma Mills, Linda Wilson, Vonda Wilson, Alma Lynch, and Connie Mills Walters). Court finds the only amendment to the consent decree is the addition of Michelle High who shall be included in the amount to be distributed. Counsel for EEOC shall prepare a proposed order for the court. Total time: 1/2 hour. (II) (Entered: 04/07/1998) | |
| 04/07/1998 | | CASE FILE RETURNED from: Judge Howard's Chambers (ll) (Entered: 04/07/1998) | |
| 04/17/1998 | | Case submitted to: Judge Howard for his review of the proposed Final Order Approving Consent Decree. (ll) (Entered: 04/17/1998) | |
| Michele High shall be allowed to participate in the distribution as a G distributee; Consent Decree as modified by attached Exhibit A is final approved and entered as of the date of this order; All remaining object denied; Statues of limitations which may have been tolled during this shall begin to run again from the date of the entry of this order; Any n intervene shall be filed within 60 days of the date of this order; If no n intervene are filed, and neither of the parties seeks to void its consent Consent Decree, parties shall move for dismissal within 70 days of the | | Final Order Approving Consent Decree - IT IS ORDERED AND ADJUDGED Michele High shall be allowed to participate in the distribution as a Group III distributee; Consent Decree as modified by attached Exhibit A is finally approved and entered as of the date of this order; All remaining objections are denied; Statues of limitations which may have been tolled during this class action shall begin to run again from the date of the entry of this order; Any motion to intervene shall be filed within 60 days of the date of this order; If no motions to intervene are filed, and neither of the parties seeks to void its consent to the Consent Decree, parties shall move for dismissal within 70 days of the date of this order. signed by Malcolm J. Howard, USDJ. OB Ref: CIV OB #57, p. 53. Cys. served. (II) (Entered: 04/21/1998) | |

| 05/04/1998 | | Case file to Judge Howard re: Final Order Approving Consent Decree. (dh) (Entered: 05/04/1998) | |
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| 05/11/1998 | | Case submitted to: Malcolm J. Howard, USDJ for consideration of the Final Order Approving Consent Decree w/ attachment A. (ll) (Entered: 05/11/1998) | |
| 05/13/1998 17 | | Amended Final Order Approving Consent Decree w/Attachment A Final Distribution List Attached - IT IS ORDERED AND ADJUDGED Michele High shall be allowed to participate in the distribution as a Group III distributee; Consent Decree as modified by attached Exhibit A is finally approved and entered as of the date of this order; All remaining objections are denied; Statues of limitations which may have been tolled during this class action shall begin to run again from the date of the entry of this order; Any motion to intervene shall be filed within 60 days of the date of this order; If no motions to intervene are filed, and neither of the parties seeks to void its consent to the Consent ecree, parties shall move for dismissal with prejudice within 70 days of the date of this order. This is same order as filed April 21, 1998, now with Attachment A, Final Distribution List. cys served. signed by Malcolm J. Howard, US Judge. OB Ref: CIV OB# 57, P-76 (dh) (Entered: 05/13/1998) | |
| 07/27/1998 | 18 | Stipulation of dismissal - Parties stipulate that this action shall be, and the same is hereby, dismissed with prejudice, except that the court retains jurisdiction until May 13, 2000, over any action to enforce the Consent Decree filed herein. Signed by counsel for parties. (ll) (Entered: 07/31/1998) | |
| 07/27/1998 | | Case closed. Permanent. (ll) (Entered: 07/31/1998) | |
| 10/23/1998 | | Case file returned to Raleigh Clerk's Office - 60 days up. **NOTE**File returned with instructions to forward to Scott per copy request received. (dh) (Entered: 10/23/1998) | |

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