CLOSED

U.S. District Court Southern District of Ohio (Cincinnati) CIVIL DOCKET FOR CASE #: 1:03-cv-00677-SAS

Equal Employment Opportunity Commission v. Cognis

Corporation

Assigned to: S Arthur Spiegel

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 10/01/2003

Date Terminated: 11/18/2004

Jury Demand: Plaintiff

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

Plaintiff

Equal Employment Opportunity Commission

represented by C Larry Watson

Equal Employment Opportunity

Commission

AJC Federal Office Building Suite 3001

1240 East Ninth Street Cleveland, OH 44199

216-522-7455

Fax: FAX-522-7430

Email: larry.watson@eeoc.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Eric S Dreiband

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Gwendolyn Young Reams

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Howard R Besser

Equal Employment Opportunity

Commission

Cleveland District Office

1660 West Second Street

Suite 850

Cleveland, OH 44113-1454

216-522-7455

Email: howard.besser@eeoc.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

James Lewis Lee

U.S. Equal Employment Opportunity

Service

90 Church Street

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New York, NY 10007 212-264-7185 Fax: 212-264-7185 *LEAD ATTORNEY ATTORNEY TO BE NOTICED*

V.

Defendant

Cognis Corporation

represented by Andrew R Kaake

Frost Brown Todd LLC - 1
2200 PNC Center
201 E 5th Street
Cincinnati, OH 45202-4182
513-651-6953
Email: akaake@fbtlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David A Skidmore, Jr

Frost Brown Todd LLC 2200 PNC Center 201 East Fifth Street Cincinnati, OH 45202-4182 513-651-6800 Email: dskidmore@fbtlaw.com ATTORNEY TO BE NOTICED

Intervenor Defendant

George E Cerniglia

represented by Andrew R Kaake

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David A Skidmore, Jr

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Intervenor

Eric Payne

Eric Payne

represented by Ivan Lawrence Tamarkin

Second National Building 830 Main Street Suite 999 Cincinnati, OH 45202 513-381-6555 Email: ivenley@fuse.net

Email: ivanlaw@fuse.net

ATTORNEY TO BE NOTICED

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Date Filed # 10/01/2003 <u>1</u>		Docket Text		
		COMPLAINT with Jury Demand against Cognis Corporation, filed by Plaintiffs Equal Employment Opportunity Commission.(Attachments: # 1 Civil Cover Sheet)(kej,) signature page(s) added on 10/6/2003 (wam,). Modified on 10/6/2003 (wam,). (Entered: 10/01/2003)		
10/06/2003	2	NOTICE of Placement in CM/ECF Docketing System. (art,) (Entered: 10/06/2003)		
10/15/2003	3	MOTION to Intervene <i>Eric Payne, Intervenor</i> . (Tamarkin, Ivan) Additional attachment(s) added on 10/16/2003 (km,). (Entered: 10/15/2003)		
10/15/2003	4	NOTICE by Intervenor Eric Payne of Filing Corrected Certificate of Service re <u>3</u> MOTION to Intervene Eric Payne, Intervenor (Tamarkin, Ivan) Modified on 10/16/2003 (km,). (Entered: 10/15/2003)		
10/22/2003	<u>5</u>	NOTICE by Intervenor Eric Payne re 3 MOTION to Intervene <i>Eric Payne</i> , <i>Intervenor Notice of Filing of Proposed Intervener Complaint in Support of Motion to Intervene</i> (Attachments: # 1 Proposed Intervener Complaint in Support of Motion to Intervene)(Tamarkin, Ivan) (Entered: 10/22/2003)		
11/10/2003	<u>6</u>	NOTICE of Appearance by David A Skidmore Jr Defendant Cognis Corporation (Skidmore, David) (Entered: 11/10/2003)		
11/20/2003		NOTATION ORDER granting 3 Motion to Intervene by Intervenor Eric Payne. Signed by Judge S Arthur Spiegel on 11/20/2003. (km,) (Entered: 11/20/2003)		
11/24/2003	7	MOTION for Extension of Time to File Answer by Defendant Cognis Corporation. (Skidmore, David) (Entered: 11/24/2003)		
11/24/2003	8	Intervenor COMPLAINT <i>WITH JURY TRIAL</i> , filed by Intervenor Eric Payne, Defendant Cognis Corporation.(Tamarkin, Ivan) (Entered: 11/24/2003)		
11/26/2003	9	ORDER granting 7 Motion for Extension of Time Until 1/20/2004 to Answer Move or Plead. Signed by Judge S Arthur Spiegel on 11/25/2003. (km,) (Entered: 11/26/2003)		
12/01/2003		Mail Returned (not deliverable as addressed, unable to forward) as to James Lewis Lee (notation order granting doc.#3). (wam,) (Entered: 12/02/2003)		
12/05/2003		Mail Returned not deliverable as addressed as to James Lewis Lee (doc.#9) (wam,) (Entered: 12/08/2003)		
12/18/2003	<u>10</u>	NOTICE of Appearance by David A Skidmore Jr Defendant Cognis Corporation (Skidmore, David) (Entered: 12/18/2003)		
12/22/2003	<u>11</u>	MOTION for Extension of Time until 1/20/04 to File Answer by Defendant Cognis Corporation. (Skidmore, David) (Entered: 12/22/2003)		
12/23/2003	12	ORDER granting 11 Motion to Extend Time Until 1/20/2004 in which to Answer Move or Otherwise Plead by defendant George E. Cerniglia. Signed by Judge Arthur Spiegel on 12/23/2003. (km,) (Entered: 12/23/2003)		

12/30/2003		Mail Returned not deliverable as addressed as to James Lewis Lee. (doc.#12) (wam,) (Entered: 01/05/2004)		
01/20/2004	<u>13</u>	MOTION to Dismiss by Defendant Cognis Corporation. Responses due by 2/13/2004 (Kaake, Andrew) Additional attachment(s) added on 1/21/2004 (wam,). (Entered: 01/20/2004)		
01/20/2004	<u>14</u>	CORPORATE DISCLOSURE STATEMENT by Defendant Cognis Corporation. (Kaake, Andrew) (Entered: 01/20/2004)		
01/20/2004	<u>15</u>	MOTION for More Definite Statement <i>OF CLAIMS</i> by Defendant Cognis Corporation. Responses due by 2/13/2004 (Kaake, Andrew) (Entered: 01/20/2004)		
01/20/2004	<u>16</u>	NOTICE by Defendant Cognis Corporation <i>Of Manual Filing</i> (Kaake, Andrew) (Entered: 01/20/2004)		
01/21/2004	<u>17</u>	NOTICE of Hearing:Preliminary Pretrial Conference set for 3/11/2004 09:30 AM in chambers before S Arthur Spiegel. (km,) (Entered: 01/21/2004)		
02/02/2004		Mail Returned as Undeliverable (not deliverable as addressed)as to James Lewis Lee (doc. #17) (wam,) (Entered: 02/02/2004)		
02/11/2004	<u>18</u>	NOTICE of Appearance by Ivan Lawrence Tamarkin Intervenor Eric Payne (Tamarkin, Ivan) Additional attachment(s) added on 2/12/2004 (wam,). (Entered: 02/11/2004)		
02/12/2004	<u>19</u>	AMENDED COMPLAINT Amended Intervenor Complaint against all defendants, filed by Intervenor Eric Payne, Defendant Cognis Corporation.(Tamarkin, Ivan) (Entered: 02/12/2004)		
02/13/2004	<u>20</u>	MOTION to Continue by Plaintiff Equal Employment Opportunity Commission. (Besser, Howard) (Entered: 02/13/2004)		
02/24/2004	<u>21</u>	MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> by Defendant Cognis Corporation. (Kaake, Andrew) (Entered: 02/24/2004)		
03/08/2004	<u>22</u>	RESPONSE to Motion re 20 MOTION to Continue filed by Intervenor Defendant George E Cerniglia, Defendant Cognis Corporation. (Attachments: #1)(Kaake, Andrew) (Entered: 03/08/2004)		
03/08/2004	23	ORDER granting 21 Motion for Extension of Time until 3/26/2004 in which to Answer Move or Otherwise Plead to Plaintiff-Intervenor's First Amended Complaint. Signed by Judge S Arthur Spiegel on 3/7/2004. (km,) (Entered: 03/08/2004)		
03/17/2004	24	PRELIMINARY PRETRIAL ORDER: Discovery due by 11/1/2004. Dispositive Motions not directed to pleadings due by 12/1/2004. Settlement Conference set for 6/1/2004 10:00 AM. Final Pretrial Conference tentatively set for 2/24/2005 09:00 AM. Three-day Jury Trial tentatively set for 4/12/2005 09:30 AM on an on-deck basis. Signed by Judge S Arthur Spiegel on 3/17/2004. (km,) (Entered: 03/17/2004)		
03/26/2004	<u>25</u>	MOTION to Dismiss <i>Plaintiff Intervenor's Public Policy Claims and Title VII Claims Brought Against Defendant Cerniglia</i> by Defendant Cognis Corporation. Responses due by 4/19/2004 (Kaake, Andrew) (Entered: 03/26/2004)		

03/26/2004	<u>26</u>	Defendant Cognis Corporation's ANSWER to Amended Complaint (1st) Eric Payne's by Defendant Cognis Corporation.(Kaake, Andrew) (Entered: 03/26/2004)		
03/26/2004	<u>27</u>	Defendant George Cerniglia's ANSWER to Complaint Plaintiff Eric Payne's First Amended by Defendant Cognis Corporation.(Kaake, Andrew) (Entered: 03/26/2004)		
03/26/2004		Mail Returned as Undeliverable-not deliverable as addressed (doc.#24)as to James Lewis Lee. (wam,) (Entered: 03/29/2004)		
04/19/2004	<u>28</u>	RESPONSE in Opposition re 25 MOTION to Dismiss <i>Plaintiff Intervenor's Public Policy Claims and Title VII Claims Brought Against Defendant Cerniglia</i> filed by Intervenor Eric Payne. (Tamarkin, Ivan) (Entered: 04/19/2004)		
04/27/2004	<u>29</u>	NOTICE of Hearing: Settlement Conference set for 6/1/2004 10:00 AM in chambers before S Arthur Spiegel. (km,) (Entered: 04/27/2004)		
04/30/2004	<u>30</u>	MOTION for Extension of Time to File Response/Reply <i>In Support of Their Motion to Dismiss</i> <u>25</u> by Intervenor Defendant George E Cerniglia, Defendant Cognis Corporation. (Skidmore, David) (Entered: 04/30/2004)		
05/04/2004	<u>31</u>	NOTATION ORDER granting 30 Motion for Extension of Time to File Response/Reply re 25 MOTION to Dismiss Plaintiff Intervenor's Public Policy Claims and Title VII Claims Brought Against Defendant Cerniglia. Reply now due by 5/5/2004. Signed by Judge S Arthur Spiegel on 5/3/2004.(km,) (Entered: 05/04/2004)		
05/05/2004	<u>32</u>	REPLY to Response to Motion re <u>25</u> MOTION to Dismiss filed by Defendant Cognis Corporation. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Skidmore, David) (Entered: 05/05/2004)		
05/05/2004		Mail Returned as Undeliverable (not deliverable as addressed-unable to forward) as to Jamie Lewis Lee (doc.#29) (wam,) (Entered: 05/06/2004)		
05/20/2004	<u>33</u>	ORDER granting 20 Motion to Continue or Stay to allow for Discovery on prior conciliation activity occuring in the case. Plaintiff will have until 6/15/2004 to file its response to Defendants pending motion to dismiss 13. Subsequent briefin on this motion will proceed in accordance with the Court's Local Rules. Signed by Judge S Arthur Spiegel on 5/20/2004. (km,) (Entered: 05/20/2004)		
06/15/2004	<u>34</u>	RESPONSE in Opposition re 13 MOTION to Dismiss filed by Plaintiff Equal Employment Opportunity Commission. (Besser, Howard) (Entered: 06/15/2004)		
06/15/2004	<u>35</u>	NOTICE by Plaintiff Equal Employment Opportunity Commission <i>Notice of Manual Filing</i> (Besser, Howard) (Entered: 06/15/2004)		
06/25/2004	<u>36</u>	MOTION for Extension of Time New date requested 7/28/2004. FOR DEFENDANTS TO FILE THEIR REPLY IN SUPPORT OF THEIR MOTION TO DISMISS CLAIMS 13 by Defendant Cognis Corporation. (Skidmore, David) (Entered: 06/25/2004)		
06/30/2004	<u>37</u>	NOTATION ORDER granting 36 Stipulated Motion for Extension of Time until 7/28/2004 for defendants to file their Reply In Support of Their Motion to Dismiss 13. Signed by Judge S Arthur Spiegel on 6/29/2004. (km,) (Entered:		

		06/30/2004)	
07/16/2004	<u>38</u>	MOTION for Extension of Time to File Response/Reply New date requested 8/6/2004. <i>In Support of Their Motion to Dismiss Claims</i> 13 by Plaintiff Equal Employment Opportunity Commission by Defendant Cognis Corporation. (Skidmore, David) (Entered: 07/16/2004)	
07/26/2004	<u>39</u>	ORDER granting 38 Stipulated Motion for Extension of Time to File Reply re MOTION to Dismiss Claims. Replies due by 8/6/2004. Signed by Judge S Arth Spiegel on 7/25/2004. (km,) (Entered: 07/26/2004)	
08/06/2004	<u>40</u>	REPLY to Response to Motion re 13 MOTION to Dismiss <i>the EEOC's Claims</i> for Failure to Conciliate filed by Defendant Cognis Corporation. (Attachments 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit Fi Exhibit G)(Kaake, Andrew) (Entered: 08/06/2004)	
11/18/2004	41	ORDER DISMISSING CASE with prejudice pursuant to settlement by the parties. Any of the parties may, upon good cause shown, within sixty days, reopen the action if settlement is not consummated. The Court retains jurisdiction over the settlement contract for purposes of its enforcement. Signed by Judge S Arthur Spiegel on 11/18/2004. (km,) (Entered: 11/18/2004)	

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