

87BE, CLOSED, DISC, MTNDDL, _JL

U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:02-cv-00092-C

EEOC, et al v. Voss Electric Co
Assigned to: Honorable Robin J. Cauthron
Demand: \$100,000
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/24/2002
Date Terminated: 03/17/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **David C Rivela**
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V.

Defendant

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doing business as

Voss Lighting

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Intervenor Plaintiff

Rick Eiland

TERMINATED: 03/14/2003

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Date Filed	#	Docket Text
01/24/2002	1	COMPLAINT (db) (Entered: 01/24/2002)
01/24/2002	2	PRAECIPE for and issued 1 summons by plaintiff EEOC (db) (Entered: 01/24/2002)
02/19/2002	3	ATTORNEY APPEARANCE for defendant Voss Electric Co by Andrew W Lester (kw) (Entered: 02/20/2002)
02/19/2002	4	ATTORNEY APPEARANCE for defendant Voss Electric Co by Shannon F Davies (kw) (Entered: 02/20/2002)
02/19/2002	5	ATTORNEY APPEARANCE for defendant Voss Electric Co by Karen T Speegle (kw) (Entered: 02/20/2002)
02/19/2002	6	ANSWER by defendant Voss Electric Co (kw) (Entered: 02/20/2002)
02/19/2002	7	MOTION by defendant Voss Electric Co to consolidate cases (kw) (Entered: 02/20/2002)
02/28/2002	8	LETTER from Andrew W. Lester re consolidation (kw) (Entered: 03/01/2002)
03/05/2002	9	ORDER by Honorable Robin J. Cauthron granting motion to consolidate cases [7-1] 5:02-cv-92 with member cases 5:02-cv-100 for all purposes (cc: all counsel) [EOD Date 3/5/02] (kw) (Entered: 03/05/2002)
03/05/2002	10	ORDER by Honorable Robin J. Cauthron; pursuant to the order for consolidation entered 3/5/02, the above cases are hereby consolidated for all purposes; all future pleading shall be file-stamped, docketed and placed in the master file only (02-92-C); there will be no further docketing or pleadings placed in #02-100-C; please style all pleadings as shown (cc: all counsel) [EOD Date 3/5/02] (kw) (Entered: 03/05/2002)
03/15/2002		DOCKET status ; status scheduling conf set for 10:00 5/2/02 (kw) (Entered: 03/15/2002)

03/21/2002	11	ATTORNEY APPEARANCE for plaintiff EEOC by Sidney B. Chesnin (kw) (Entered: 03/21/2002)
03/21/2002	12	ATTORNEY APPEARANCE for plaintiff EEOC by David C Rivela (kw) (Entered: 03/21/2002)
03/21/2002	13	ATTORNEY APPEARANCE for plaintiff EEOC by Toby W. Costas (kw) (Entered: 03/21/2002)
03/21/2002	14	ATTORNEY APPEARANCE for plaintiff EEOC by Robert A. Canino (kw) (Entered: 03/21/2002)
03/21/2002	15	ATTORNEY APPEARANCE for plaintiff EEOC by Holly Waldron Cole (kw) (Entered: 03/21/2002)
04/30/2002	16	JOINT STATUS REPORT (kw) (Entered: 05/01/2002)
04/30/2002	17	JOINT DISCOVERY PLAN (kw) (Entered: 05/01/2002)
05/02/2002	18	SCHEDULING ORDER Honorable Robin J. Cauthron ; status scheduling conference held on 10:00 5/2/02 ; jury trial set for 3/1/03 ; Discovery set for 1/1/03 ;mtn filing ddl set for 1/1/03 ; pretrial report due 3/1/03 mtns to join due: 6/1/02 mtns to amend due: 6/1/02 pla's wit lst due: 12/15/02 pla's exh lst due: 12/15/02 dft's wit lst due: 10 days thereafter dft's exh lst due: 10 days thereafter mtns in limine due: 3/1/03 jury instr due: 3/1/03 voir dire requests due: 3/1/03 trial briefs due : 3/1/03 (cc: all counsel) (kw) (Entered: 05/03/2002)
05/07/2002	19	MOTION by Rick Eiland to intervene and by Rick and Cindi Eiland to amend complaint (kw) (Entered: 05/08/2002)
05/09/2002	20	ORDER by Honorable Robin J. Cauthron granting Rick Eiland's motion to intervene [19-1], granting Rick and Cindi Eiland's motion to amend complaint [19-2] (cc: all counsel) [EOD Date 5/9/02] (kw) (Entered: 05/09/2002)
05/28/2002	21	COMPLAINT IN INTERVENTION/AMENDED COMPLAINT [1-1] (kw) (Entered: 05/29/2002)
08/02/2002	22	MOTION by plaintiff EEOC to compel discovery (kw) (Entered: 08/05/2002)
08/06/2002	23	NOTICE by defendant Voss Electric Co of subpoena for production of documents to Deaconess Hospital (kw) Modified on 08/06/2002 (Entered: 08/06/2002)
08/06/2002	24	NOTICE by defendant Voss Electric Co of subpoena for production of documents to Southwest Medical Center (kw) Modified on 08/06/2002 (Entered: 08/06/2002)
08/06/2002	25	NOTICE by defendant Voss Electric Co of subpoena for production of documents to Krishna Rama Das, MD (kw) (Entered: 08/06/2002)
08/12/2002	26	NOTICE by defendant Voss Electric Co of subpoena for prod of documents to John M. Rahhal, MD (kw) (Entered: 08/13/2002)
08/19/2002	27	RESPONSE by defendant Voss Electric Co to motion to compel discovery [22-1] (kw) (Entered: 08/20/2002)

08/19/2002	27	MOTION by defendant Voss Electric Co for protective order (kw) (Entered: 08/20/2002)
09/16/2002	28	ORDER by Honorable Robin J. Cauthron granting motion to compel discovery [22-1]; dft is to provide the info requested in Mr. Bottger's depo to pla; denying dft's motion for protective order [27-1] (cc: all counsel) [EOD Date 9/16/02] (kw) (Entered: 09/16/2002)
10/24/2002	29	MOTION by defendant Voss Electric Co to compel production of documents (kw) (Entered: 10/25/2002)
11/01/2002	30	MOTION by defendant Voss Electric Co to compel production of documents from Dr. Ed Beckham and brief (kw) (Entered: 11/04/2002)
11/01/2002	31	MOTION by defendant Voss Electric Co to compel production of documents from Dr. David E. Linden and brief (kw) (Entered: 11/04/2002)
11/01/2002	32	MOTION by defendant Voss Electric Co to compel production of documents from Dr. John Rahhal, MD (kw) (Entered: 11/04/2002)
11/08/2002	33	UNOPPOSED APPLICATION by plaintiff EEOC for entry of agreed protective order (kw) (Entered: 11/12/2002)
11/08/2002	34	UNOPPOSED MOTION by defendant Voss Electric Co for stipulated protective order (kw) (Entered: 11/12/2002)
11/12/2002	35	MOTION by defendant Voss Electric Co for ext of time to submit experts list and expert reports, discovery and dispositive motions (kw) Modified on 11/12/2002 (Entered: 11/12/2002)
11/12/2002	36	PROTECTIVE ORDER by Honorable Robin J. Cauthron granting motion for stipulated protective order [34-1] (cc: all counsel) (kw) (Entered: 11/12/2002)
11/12/2002	37	PROTECTIVE ORDER by Honorable Robin J. Cauthron granting motion for entry of agreed protective order [33-1] (cc: all counsel) (kw) (Entered: 11/12/2002)
11/12/2002	38	ORDER by Honorable Robin J. Cauthron granting motion for ext of time to submit experts list and expert reports, discovery and dispositive motions [35-1] ; Discovery set for 1/15/03 ; Motion Filing ddl 1/15/03 ; lists due 11/18/02 and reports due 12/13/02; discovery extension will be for disc relating to experts and treating physicians only (cc: all counsel) [EOD Date 11/12/02] (kw) (Entered: 11/12/2002)
11/18/2002	39	MOTION by defendant Voss Electric Co to withdraw motion to compel against plas Rick and Cindi Eiland and EEOC (kw) (Entered: 11/19/2002)
11/18/2002	40	EXPERT WITNESS list submitted by defendant Voss Electric Co (kw) (Entered: 11/19/2002)
11/19/2002	41	ORDER by Honorable Robin J. Cauthron granting motion to withdraw motion to compel against plas Rick and Cindi Eiland and EEOC [39-1] withdrawing motion to compel production of documents [29-1] (cc: all counsel) [EOD Date 11/19/02] (kw) (Entered: 11/19/2002)

11/25/2002	42	ORDER by Honorable Robin J. Cauthron granting motion to compel production of documents from Dr. John Rahhal, MD [32-1], granting motion to compel production of documents from Dr. David E. Linden [31-1], granting motion to compel production of documents from Dr. Ed Beckham [30-1]; these doctors are ordered to produce the records sought by dft's subpoena duces tecum w/i 30 days of the date of this order; dft's request for atty fees and costs is denied (cc: all counsel) [EOD Date 11/25/02] (kw) (Entered: 11/25/2002)
12/09/2002	43	MOTION by defendant Voss Electric Co for extension of time to file expert reports (nm) (Entered: 12/10/2002)
12/13/2002	44	MINUTE ORDER by Honorable Robin J. Cauthron plf is directed to file an expedited response on or before Tuesday, 12/17/02 to dft Voss Electric Co's motion for ext of time to file expert rpts re [43-1]; the deadline is held in abeyance pending a ruling on the motion (cc: all counsel) [EOD Date 12/13/02] (ap) (Entered: 12/13/2002)
12/13/2002	45	RESPONSE by EEOC, Rick Eiland, Cindi Eiland to motion for extension of time to file expert reports [43-1] (kw) (Entered: 12/16/2002)
12/17/2002	46	ORDER by Honorable Robin J. Cauthron granting motion for extension of time to file expert reports [43-1]; due 1/3/02 (cc: all counsel) [EOD Date 12/17/02] (kw) (Entered: 12/17/2002)
12/24/2002	47	WITNESS list submitted by defendant Voss Electric Co (nm) (Entered: 12/26/2002)
12/24/2002	47	EXHIBIT list by defendant Voss Electric Co (nm) (Entered: 12/26/2002)
01/03/2003	48	LETTER from Juliana K. Reimer re supplement to the report of Dr. Montero and copy of report of Lon Huff (kw) (Entered: 01/03/2003)
01/10/2003		DOCKET ; jury trial set for 3/10/03 (kw) (Entered: 01/13/2003)
01/14/2003	49	ATTORNEY APPEARANCE for defendant Voss Electric Co by Jon McLanahan (kw) (Entered: 01/14/2003)
01/15/2003	50	ORDER by Honorable Robin J. Cauthron, ; Settlement conf 2/10/03, 1:30, J. Couch ; stmt due by noon 2/6/03 (cc: all counsel) [EOD Date 1/15/03] (kw) (Entered: 01/15/2003)
01/15/2003	51	MOTION by defendant Voss Electric Co for summary judgment and brief in support (nm) (Entered: 01/16/2003)
01/17/2003	52	ADDENDUM by defendant Voss Electric Co to its motion for sum jgm and brief in suppt (kw) (Entered: 01/21/2003)
01/17/2003	53	AMENDED CERTIFICATE OF MAILING by defendant Voss Electric Co to its mtn for sum jgm and brief in suppt (kw) (Entered: 01/21/2003)
01/22/2003	54	JOINT MOTION by EEOC, Voss Electric Co, Rick Eiland, Cindi Eiland, to extend ddl for plas to file their responses to dft's mtn for sum jgm (kw) (Entered: 01/23/2003)
01/23/2003	55	ORDER by Honorable Robin J. Cauthron granting motion to extend ddl for plas to file their responses to dft's mtn for sum jgm [54-1]to 2/7/03 (cc: all counsel)

		[EOD Date 1/23/03] (kw) (Entered: 01/23/2003)
02/04/2003	56	MOTION by EEOC, Rick Eiland to file oversized brief in response to dft's mtn for sum jgm (kw) (Entered: 02/04/2003)
02/05/2003	57	ORDER by Honorable Robin J. Cauthron granting motion to file oversized brief in response to dft's mtn for sum jgm [56-1] not to exceed 35 pages; due 2/7/03 (cc: all counsel) [EOD Date 2/5/03] (kw) (Entered: 02/05/2003)
02/07/2003	58	RESPONSE by EEOC, Rick Eiland to motion for summary judgment [51-1] (kw) (Entered: 02/07/2003)
02/07/2003	59	RESPONSE by Cindi Eiland to motion for summary judgment [51-1] (kw) (Entered: 02/10/2003)
02/11/2003	60	ENTER ORDER by Magistrate Judge Valerie K. Couch, ; Settlement conf held 2/10/03; Sid Chesnin apprd as lead trial cnsl for Plf EEOC; Roger Hurt apprd as cnsl for Plfs Rick and Cindi Eiland; Shannon Davies apprd as lead trial cnsl for Dft; case did not settle (cc: all counsel) [EOD Date 2/11/03] (ch) (Entered: 02/11/2003)
02/13/2003	61	MOTION by defendant Voss Electric Co for leave to file reply briefs (kw) (Entered: 02/13/2003)
02/13/2003	62	ORDER by Honorable Robin J. Cauthron granting motion for leave to file reply briefs [61-1]; due w/i 7 days; nmt 15 pages (cc: all counsel) [EOD Date 2/13/03] (kw) (Entered: 02/13/2003)
02/19/2003	63	UNOPPOSED APPLICATION by defendant Voss Electric Co for ext of time to submit its reply to plas' response to dft's mtn for sum jgm (kw) (Entered: 02/20/2003)
02/20/2003	64	ORDER by Honorable Robin J. Cauthron granting motion for ext of time to submit its reply to plas' response to dft's mtn for sum jgm [63-1]; due 2/24/03 (cc: all counsel) [EOD Date 2/20/03] (kw) (Entered: 02/20/2003)
02/21/2003	65	MOTION by plaintiff EEOC, Cindi Eiland and Rick Eiland in limine instrucint parties, counsel, witnesses to refrain fr making mention or interrogation directly or indirectly matters contained in this mtn inlimine (nm) (Entered: 02/21/2003)
02/21/2003	66	MOTION by plaintiff EEOC, Rick Eiland and Cindi Eiland to exclude the testimony of defense expert Lon Huff (nm) (Entered: 02/21/2003)
02/21/2003	67	MOTION by defendant Voss Electric Co in limine to exclude testimony regarding unrelated misdemeanor (nm) (Entered: 02/24/2003)
02/21/2003	68	MOTION by defendant Voss Electric Co in limine to exclude testimony of Ted Bottger (nm) (Entered: 02/24/2003)
02/21/2003	69	MOTION by defendant Voss Electric Co in limine for testimony by Dr Montero concerning Terminating an Employee (nm) (Entered: 02/24/2003)
02/21/2003	70	MOTION by defendant Voss Electric Co in limine on Plfs' Substantial Limitation on Ability to work defense (nm) (Entered: 02/24/2003)
02/21/2003	71	MOTION by defendant Voss Electric Co in limine for testimony by Dr Montero Concerning Cindi Eiland (nm) (Entered: 02/24/2003)

02/21/2003	72	MOTION by defendant Voss Electric Co in limine to exclude testimony concerning Dfts' religious beliefs (nm) (Entered: 02/24/2003)
02/21/2003	73	MOTION by defendant Voss Electric Co in limine for testimony by Dr Rahal (nm) (Entered: 02/24/2003)
02/24/2003	74	REPLY by defendant Voss Electric Co re to Cindi Eiland's response to motion for summary judgment [51-1] and brief in support (nm) (Entered: 02/25/2003)
02/24/2003	75	REPLY by defendant Voss Electric Co re to Plfs EEOC and Rick Eiland's response to motion for summary judgment [51-1] (nm) (Entered: 02/25/2003)
02/25/2003	76	Designations of Deposition Excerpts by plaintiff EEOC, non-party Rick Eiland and Cindi Eiland (nm) Modified on 02/26/2003 (Entered: 02/26/2003)
02/28/2003	77	ORDER by Honorable Robin J. Cauthron viewed in the light most favorable to Mr Eiland, questions of material fact remain on Mr Eiland's claims under the American's with Disabilities Act; accordingly, dft's motion for summary judgment [51-1] is DENIED as to those claims; however, the undisputed facts reveal that dft's conduct does not rise to the level to supp a claim for intentional infliction of emotional distress; accordingly, dft's motion for summary judgment is GRANTED as to those claims; a separate judgment will issue at the conclusion of this matter (cc: all counsel) [EOD Date 2/28/03] (ap) (Entered: 02/28/2003)
03/13/2003	78	MOTION by plaintiff EEOC, defendant Voss Electric Co, intervenor-plaintiff Rick Eiland to enter consent decree (kw) (Entered: 03/14/2003)
03/13/2003	79	MOTION by intervenor-plaintiff Rick Eiland and Cindi Eiland to dismiss with prejudice claims of Rick Eiland and Cindi Eiland (kw) (Entered: 03/14/2003)
03/14/2003	80	ORDER by Honorable Robin J. Cauthron granting motion to dismiss with prejudice claims of Rick Eiland and Cindi Eiland [79-1], terminating party Rick Eiland, party Cindi Eiland (cc: all counsel) [EOD Date 3/14/03] (kw) (Entered: 03/14/2003)
03/17/2003	81	ORDER by Honorable Robin J. Cauthron granting motion to enter consent decree [78-1] IT IS HEREBY ORDERED Consent Decree as follows: (as more fully set out) (cc: all counsel) [EOD Date 3/17/03] (fp) (Entered: 03/17/2003)
04/07/2003	82	ORDER by Honorable Robin J. Cauthron; upon request of pla EEOC, the Ct is submitting its order resolving dft's mtn for sum jgm for publication; as part of the publication process, pursuant to FRCP 60(a) the Ct has corrected certain scrivener's errors in the order; accordingly, an amd order will be filed reflecting these corrections (cc: all counsel) [EOD Date 4/7/03] (kw) (Entered: 04/07/2003)
04/07/2003	83	AMENDED ORDER by Honorable Robin J. Cauthron re dft's mtn for sum jgm [51-1]; viewed in the light most favorable to Mr. Eiland, questions of material fact remain on Mr. Eiland's clms under the Americans with Disabilities Act; accordingly, dft's mtn for sum jgm is denied as to those clms; however, the undisputed facts reveal that dft's conduct did not rise to the level to suppt a clm for intentional infliction of emotional distress; accordingly, dft's mtn for sum jgm is granted as to those clms; a separate jgm will issue at the conclusion of this matter (cc: all counsel) [EOD Date 4/7/03] (kw) (Entered: 04/07/2003)

04/10/2003	84	MOTION by defendant Voss Electric Co to reconsider order publishing sum jgm order (kw) (Entered: 04/10/2003)
04/11/2003	85	ORDER by Honorable Robin J. Cauthron denying motion to reconsider order publishing sum jgm order [84-1] (cc: all counsel) [EOD Date 4/11/03] (kw) (Entered: 04/11/2003)
09/14/2005		TRANSCRIPT of Proceedings held on August 8, 2005 before Judge Russell. Court Reporter: Alana S. LaGrow. Transcript of: Resentencing (dl,) (Entered: 09/14/2005)
09/14/2005		Docket Annotation: Due to a clerical error the Transcript entered on September 14, 2005 was docketed in the wrong case (dl,) (Entered: 09/14/2005)

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