CLOSED

United States District Court Western District of Michigan (Northern Division (2)) CIVIL DOCKET FOR CASE #: 2:01-cv-00086-DWM

EEOC v. Krist Oil Co

Assigned to: Judge David W. McKeague

Demand: \$0

Cause: 42:1983 Civil Rights (Employment Discrimination)

Date Filed: 05/22/2001

Date Terminated: 02/13/2003

Jury Demand: Plaintiff

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

<u>plaintiff</u>

Equal Employment Opportunity Commission

represented by Adele Rapport

U.S. Equal Employment Opportunity Commission (MI) 865 Patrick V. McNamara Bldg. 477 Michigan Ave. Detroit, MI 48226 (313) 226-6701 Email: adele.rapport@eeoc.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Dale Price

U.S. Equal Employment Opportunity Commission (MI) 865 Patrick V. McNamara Bldg. 477 Michigan Ave. Detroit, MI 48226 (313) 226-7808 Email: dale.price@eeoc.gov *LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

Ellen Ha

Equal Employment Opportunity Commission Detroit District Office 477 Michigan Ave., Rm. 865 Detroit, MI 48226 (313) 226-5670 TERMINATED: 06/28/2001 LEAD ATTORNEY ATTORNEY TO BE NOTICED

V.

defendant

Krist Oil Co

represented by Holly Annette Baker

Holly A. Baker 49 Macomb Place Suite 27 Mt. Clemens, MI 48043 (586) 493-7641 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Steve J. Polich

Polich Tousignant Law Offices P.O. Box 522 Iron River, MI 49935 (906) 265-9938 Email: steve@spolichlawoffice.com *LEAD ATTORNEY ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text	
05/22/2001	1	COMPLAINT (6 pgs) w/jury trial demand (erv) (Entered: 05/25/2001)	
05/22/2001		SUMMONS issued as to deft and returned to pltf's rep. (erv) (Entered: 05/25/2001)	
06/25/2001	2	ATTORNEY APPEARANCE by deft adding attorney(s) Steve J. Polich (erv) (Entered: 06/25/2001)	
06/25/2001	3	ANSWER to complaint by deft w/affirmative defenses (erv) (Entered: 06/25/2001)	
06/25/2001	4	PROOF OF SERVICE by deft for #2 and #3 (erv) (Entered: 06/25/2001)	
06/28/2001	5	NOTICE by pltf of Withdrawal of Counsel (erv) (Entered: 07/02/2001)	
07/02/2001	6	ORDER Setting Telephone Rule 16 Scheduling Conference by Magistrate Judge Timothy P. Greeley; telephone status conf set for 10:00 a.m. on 7/31/01; joint status report to be filed 3 business days prior to the conference (cc: all counsel w/DCM and attachments) (erv) (Entered: 07/03/2001)	
07/26/2001	7	JOINT STATUS REPORT by pltf and deft (erv) (Entered: 07/31/2001)	
08/17/2001	8	CASE MANAGEMENT ORDER (7 pgs) by Magistrate Judge Timothy P. Greeley; joinder/amendment by 8/20/01; pltf's witnesses by 9/20/01; dft's witnesses by 10/20/01; interrogatories limited to 25 single part questions; depositions limited to 10 fact witnesses per party; for admissions limited to 15; time limits for depositions don't apply; jury trial set for 9:00 a.m. on 8/12/02; discovery completed by 2/21/02; motion filing ddl set for 3/21/02; settlement/final pretrial conf set for 1:30 p.m. on 7/30/02; (cc: all counsel) [EOD Date 8/20/01] (erv) (Entered: 08/20/2001)	

08/17/2001	9	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; parties shall submit a confidential letter to the undersigned relative to settlement on or before 8/31/01; Teleconf conducted on 10:00 a.m. on 9/5/01 (cc: all counsel) [EOD Date 8/20/01] (erv) (Entered: 08/20/2001)	
08/23/2001	10	NOTICE by deft of taking deposition of Arlene Stauber on 8/30/01 w/prf of svc (cep) (Entered: 08/24/2001)	
08/27/2001	11	ATTORNEY APPEARANCE by pltf adding attorney(s) Dale R. Price w/certificate of service (erv) (Entered: 08/30/2001)	
09/04/2001	12	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; Teleconf adjourned to 10:00 a.m. on 9/18/01; Deadline for counsel to submit Confidential letters relative to Settlement extended to 9/14/01 (cc: all counsel) [EOD Date 9/5/01] (erv) (Entered: 09/05/2001)	
09/13/2001	13	NOTICE of hearing: ; Telephone Status Conf rescheduled for 10:00 a.m. on 10/1/01 (cc: all counsel) (erv) (Entered: 09/14/2001)	
10/01/2001		PROCEEDING before Magistrate Judge Timothy P. Greeley;; Telephone Settlement Conf held on 10:00 a.m. on 10/1/01; case did not settle; Pamela Chant (erv) (Entered: 10/01/2001)	
10/18/2001	14	CERTIFICATE OF SERVICE by pltf for First Set of Interrogatories and Request to Produce Documents to deft Krist Oil Company by US Mail on 10/11/01 upon atty for defts (erv) (Entered: 10/19/2001)	
10/30/2001	15	AMENDED CASE MANAGEMENT ORDER (6 pgs) by Magistrate Judge Timothy P. Greeley Settlement/Final Pretrial conference scheduled for 1:30 p.m. on 9/4/02; Jury trial scheduled for 9:00 a.m. on 9/17/02 (cc: all counsel) [EOD Date 10/31/01] (erv) (Entered: 10/31/2001)	
11/14/2001	16	PROOF OF SERVICE by deft for Answer to Pltf's First Set of Interrogatories upon atty for pltf by US Mail on 11/12/01 (erv) (Entered: 11/15/2001)	
01/14/2002	17	CERTIFICATE OF SERVICE by pltf for Notices of Deposition for Donn Atanasoff, Dale Fuller and Shirley Nardi upon atty for deft by facsimile and US Mail on 1/10/02 (erv) (Entered: 01/14/2002)	
01/23/2002	18	CERTIFICATE OF SERVICE by pltf for Re-Notices of Depositions for Donn Atanasoff, Dale Fuller, and Shirley Nardi upon atty Steven J. Polich via first class mail on 1/15/02 (erv) (Entered: 01/24/2002)	
02/05/2002	19	CERTIFICATE OF SERVICE by pltf for Re-Notices of Deposition for Donn Atanasoff and Shirley Nardi and Notice of Deposition for Scott Bociek upon atty for deft by facsimile and US Mail (erv) (Entered: 02/06/2002)	
02/19/2002	20	CERTIFICATE OF SERVICE by pltf for Notices of Deposition for Lori Tipler and Jean Bonetti upon atty for defts by facsimile and US Mail on 2/13/02 (erv) (Entered: 02/19/2002)	
02/21/2002	21	MOTION by pltf to compel deft to answer interrogatory 5 and produce all supporting documentation for same w/in 7 days; compel deft to provide information on the financial status of Krist Oil; compel deft to pay reasonable costs and atty fees and to extend the discovery and motion deadlines by 45 days	

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		w/brief in support, exhibit A, proposed ntc of hearing and prf of svc (erv) (Entered: 02/25/2002)	
03/13/2002	22	NOTICE of hearing: re motion to compel and extend discovery [#21]; hearing set 3/27/02 at 2:00 p.m. in Marquette, MI; deft shall file its response to this motion by 3/22/02 (cc: all counsel) (jld) (Entered: 03/13/2002)	
03/27/2002		PROCEEDING before Magistrate Judge Timothy P. Greeley; motion to compel and extend discovery: resolved dispute int. 5, pltf to provide financial statement to deft. Deft to contact court if further information needed week of 4/8/02. Discovery extended to 5/10/02. Dispositive motion cut-off extended to 5/31/02; Carole Poggi (erv) (Entered: 03/27/2002)	
03/28/2002	23	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley that oral argument was held on 3/27/02 regarding motion to compel and extend discovery [21-1][21-2]. The parties have now resolved the dispute regarding interrogatory number 5. Defendant is ordered to provide a copy of deft's most recent financial statement to plaintiff no later than 4/5/02. If after review of the document plaintiff needs additional financial records, plaintiff shall contact the court to schedule a telephone conference during the week of 4/8/02. Discovery is extended to 5/10/02. Dispositive motions shall be filed no later than 5/31/02; Mtn filing ddl extended to 5/31/02; Discovery extended to 5/10/02 (cc: all counsel) [EOD Date 3/28/02] (erv) (Entered: 03/28/2002)	
04/04/2002	24	PROOF OF SERVICE by deft for Supplemental Answer to Pltf's First Set of Interrogatories and Request to Produce Documents upon attorney for pltf by US Mail on 4/3/02 (erv) (Entered: 04/04/2002)	
04/05/2002	25	RESPONSE by deft [23-2] to Discovery Order w/prf of svc (erv) (Entered: 04/08/2002)	
04/24/2002	26	NOTICE by deft of taking deposition of Edward Stauber on 4/29/02 (cep) (Entered: 04/26/2002)	
04/24/2002	27	NOTICE by deft of taking deposition of Sherri Stauber on 4/29/02 (cep) (Entered: 04/26/2002)	
04/24/2002	28	PROOF OF SERVICE by deft for [26-1], [27-1] and Subpoena in a Civil Case for Sherri and Edward Stauber upon Sherri and Edward Stauber on 4/23/02 by certified mail (cep) (Entered: 04/26/2002)	
05/17/2002	29	NOTICE by deft of taking deposition of Edward Stauber on 5/22/02 at 1:00 p.m. (CST) (erv) (Entered: 05/23/2002)	
05/23/2002	30	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; Mtn filing ddl extended to 5/31/02; Discovery extended to 5/31/02 (cc: all counsel) [EOD Date 5/29/02] (erv) (Entered: 05/29/2002)	
07/09/2002	31	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; Mtn filing ddl extended to 8/16/02; Discovery extended to 7/31/02; Pretrial conference rescheduled to 1:30 p.m. on 1/21/03; Jury trial rescheduled to 2/03 docket (cc: all counsel) [EOD Date 7/10/02] (erv) (Entered: 07/10/2002)	
07/22/2002	32	MOTION (Emergency) by pltf to quash subpoena w/brief in support, exhibit A, proposed notice of hearing and prf of svc (erv) (Entered: 07/22/2002)	

07/23/2002	33	DISCOVERY ORDER (1 pg) by Magistrate Judge Timothy P. Greeley (cc: all counsel) [EOD Date 7/25/02] (erv) (Entered: 07/25/2002)	
07/25/2002	34	RE-NOTICE by deft of taking deposition of Edward Stauber on 7/29/02 at 1:00 (CST) (erv) (Entered: 07/25/2002)	
07/25/2002	35	PROOF OF SERVICE by deft for Subpoena to Appear for Deposition and to Produce Documents in a Civil Case on 7/29/02 at 1:00 p.m. upon Ed Stauber by personal service on 7/23/02 (erv) (Entered: 07/25/2002)	
07/25/2002	36	NOTICE by deft of taking deposition of Arlene Stauber on 7/29/02 at 3:00 p.m. (CST) (erv) (Entered: 07/25/2002)	
07/25/2002	37	NOTICE by deft of taking deposition of Jennifer Osier on 6/27/02 (erv) (Entered: 07/31/2002)	
07/25/2002	38	NOTICE by deft of taking deposition of Lori Tipler on 7/16/02 (erv) (Entered: 07/31/2002)	
07/25/2002	39	RE-NOTICE by deft of taking deposition of Lori Tipler on 7/16/02 (erv) (Entered: 07/31/2002)	
07/25/2002	40	NOTICE by deft of taking deposition of Ed Stauber on 7/23/02 (erv) (Entered: 07/31/2002)	
07/29/2002	41	PROOF OF SERVICE by deft for Subpoena to Appear for Deposition and to Produce Documents in a Civil Case on Monday, July 29, 2002 at 3:00 p.m. (Case of personally upon Arlene Stauber (erv) (Entered: 07/31/2002)	
08/01/2002	42	PROOF OF SERVICE by deft for Subpoena to Produce Documents of Arlene Stauber in a Civil Case upon Eagle Country Fed Credit Union on 7/31/02 by personal svc (cep) (Entered: 08/02/2002)	
08/01/2002	43	PROOF OF SERVICE by deft for Subpoena to Produce Documents of Arlene Stauber in a Civil Case upon Terry Langenberg and/or Langenberg Funeral Home on 7/31/02 by personal svc (cep) (Entered: 08/02/2002)	
08/01/2002	44	PROOF OF SERVICE by deft for Subpoena to Produce Documents of Arlene Stauber in a Civil Case upon Dennis Hulbert, DDS, PC, on 7/31/02 by personal svc (cep) (Entered: 08/02/2002)	
08/01/2002	45	PROOF OF SERVICE by deft for Subpoena to Produce Documents of Arlene Stauber in a Civil Case upon Western UP MI Works on 7/31/02 by personal svc (cep) (Entered: 08/02/2002)	
08/01/2002	46	PROOF OF SERVICE by deft for Subpoena to Produce Documents of Arlene Stauber in a Civil Case upon Steven Meyer and/or Meyer Wholesale on 7/31/02 by personal svc (cep) (Entered: 08/02/2002)	
08/12/2002	47	MOTION by pltf for partial summary judgment w/brief in support, Exhibits A-C, proposed ntc of hrg and cert of svc (cep) Modified on 09/06/2002 (Entered: 08/13/2002)	
08/13/2002	48	RE-NOTICE by deft of taking deposition of Edward Stauber on 8/13/02 w/prf of svc (erv) (Entered: 08/14/2002)	

08/14/2002	49	RE-NOTICE by deft of taking deposition of Arlene Stauber on 8/13/02 (erv) (Entered: 08/14/2002)	
08/16/2002	50	MOTION by deft for partial summary judgment w/brief in support, ntc of hrg and prf of svc (cep) (Entered: 08/19/2002)	
09/09/2002	51	OPPOSITION by deft to pltf's motion for partial summary judgment [47-1] w/p of svc (erv) (Entered: 09/10/2002)	
09/13/2002	52	NOTICE of hearing: ; Settlement conference to be held on 1/21/03 at 1:30 p.m (cc: all counsel) (erv) (Entered: 09/17/2002)	
09/13/2002	53	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; pltf requested an extension of time w/in which to file a response to deft's motion for partial summary judgment [50-1]; response to be filed by 9/20/02 (cc: all counsel) [EOD Date 9/17/02] (erv) (Entered: 09/17/2002)	
09/20/2002	54	REPLY Brief by pltf in support of motion for partial summary judgment [47-1] w/exhibit 1 (erv) (Entered: 09/25/2002)	
09/20/2002	55	RESPONSE by pltf to deft's motion for partial summary judgment [50-1] w/brief in support (erv) (Entered: 09/25/2002)	
09/25/2002	56	NOTICE of hearing: setting deft's motion for partial summary judgment [50-1] and pltf's motion for partial summary judgment [47-1] at 5:00 p.m. on 10/9/02 (cc: all counsel) (erv) (Entered: 09/30/2002)	
10/17/2002	57	ORDER REGARDING SETTLEMENT CONFERENCE (2 pgs) by Judge David W. McKeague; Settlement conference set for 8:00 a.m. on 11/25/02 (cc: all counsel) [EOD Date 10/22/02] (erv) (Entered: 10/22/2002)	
10/17/2002	58	NOTICE of hearing: setting deft's motion for partial summary judgment [50-1] and pltf's motion for summary judgment [47-1] at 8:00 a.m. on 11/25/02 (cc: al counsel) (erv) (Entered: 10/22/2002)	
11/21/2002	59	MOTION by deft to strike Exhibits 5 - Affidavit of Arlene Stauber and Exhibit - Affidavit of Maria Smith For Brief in Support of Pltf's Answer to Motion for Summary Judgment (ldm) (Entered: 11/21/2002)	
11/22/2002	60	RESPONSE by pltf to motion to strike Exhibits 5 - Affidavit of Arlene Stauber and Exhibit 9 - Affidavit of Maria Smith For Brief in Support of Pltf's Answer to Motion for Summary Judgment [59-1] w/brief in support, exhibit 1 & 2 (erv) (Entered: 11/26/2002)	
11/22/2002	61	MOTION by pltf for leave to file amended affidavits w/brief in support, exhibit & 2 and certificate of svc (erv) (Entered: 11/26/2002)	
11/25/2002		PROCEEDING before Judge David W. McKeague; Settlement conference held 8:00 a.m. on 11/25/02; case settled; settlement placed on record; Consent Decree to be submitted to court no later than 12/31/02; M. Foley (erv) (Entered: 01/14/2003)	
01/21/2003	62	ORDER (1 pg) by Magistrate Judge Timothy P. Greeley; Final Pretrial/Settlement Conf reset to 9:00 a.m. on 1/31/03 (cc: all counsel w/faxed copies to counsel) [EOD Date 1/22/03] (cep) (Entered: 01/22/2003)	

01/29/2003	63	NOTICE of hearing: Final Pretrial conference reset to 9:00 a.m. on 2/3/03 (cc: all counsel) (cep) (Entered: 01/30/2003)
02/13/2003	64	CONSENT DECREE (11 pgs) by Judge David W. McKeague (erv) (Entered: 02/18/2003)
10/06/2003	65	REPORT OF COMPLIANCE WITH CONSENT DECREE by deft [64-1] w/Exhibits A1-E and prf of svc (cep) (Entered: 10/06/2003)

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