A/R, CLOSED, STANDARD

United States District Court Eastern District of Pennsylvania (Philadelphia) CIVIL DOCKET FOR CASE #: 2:04-cv-04584-JS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.

AUSTIN

Assigned to: HONORABLE JUAN R. SANCHEZ

Cause: 42:2000 Job Discrimination (Sexual Harassment)

Date Filed: 09/29/2004

Date Terminated: 06/27/2005 Jury Demand: Defendant

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

Plaintiff

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION represented by JACQUELINE H. MCNAIR

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION 21 S. 5TH ST **STE 400** PHILADELPHIA, PA 19106 215-440-2687 LEAD ATTORNEY ATTORNEY TO BE NOTICED

JUDITH A. O'BOYLE

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION 21 S. 5TH ST **STE 400** PHILADELPHIA, PA 19106 215-440-2687 Email: judith.oboyle@eeoc.gov LEAD ATTORNEY ATTORNEY TO BE NOTICED

MARY M. TIERNAN

EQUAL EMPLOYMENT OPPORTUNITY COMM PHILA DISTRICT OFFICE THE BOURSE BLDG 21 S. 5TH ST., STE 400 PHILADELPHIA, PA 19106 215-440-2828 LEAD ATTORNEY ATTORNEY TO BE NOTICED

V.

Defendant

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BRETT R. AUSTIN

TERMINATED: 11/16/2004

doing business as

CACTUS WILLIE'S STEAK BUFFET

TERMINATED: 11/16/2004

Defendant

CACTUS-LANCASTER, LLC

represented by JAY R. FRIES

KRUCHKO & FRIES 502 WASHINGTON AVE SUITE 400 BALTIMORE, MD 21204 410-321-7310 Email: jfries@kruchkoandfries.com LEAD ATTORNEY ATTORNEY TO BE NOTICED

JOHN G. KRUCHKO

KRUCHKO & FRIES 502 WASHINGTON AVENUE SUITE 400 BALTIMORE, MD 21204 410-321-7310 TERMINATED: 02/07/2005 LEAD ATTORNEY

JONATHAN SPELLS KRAUSE

MORGAN, LEWIS & BOCKIUS, LLP 1701 MARKET STREET PHILADELPHIA, PA 19103 215-963-5000 Email: jkrause@morganlewis.com LEAD ATTORNEY ATTORNEY TO BE NOTICED

KATHLEEN A. TALTY

KRUCHKO & FRIES 502 WASHINGTON AVE SUITE 400 BALTIMORE, MD 21204 410-321-7310 Email: ktalty@kruchkoandfries.com LEAD ATTORNEY ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/29/2004		COMPLAINT against BRETT R. AUSTIN, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(tj,) (Entered: 09/29/2004)

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09/29/2004		Summons Issued; 1 Mailed to counsel 9/29/04 as to BRETT R. AUSTIN. (tj,) (Entered: 09/29/2004)		
09/29/2004		DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (tj,) (Entered: 09/29/2004)		
11/16/2004	2	FIRST AMENDED COMPLAINT AGAINST CACTUS-LANCASTER, LLC FILED BY EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, JURY DEMAND.(ac,) (Entered: 11/17/2004)		
11/16/2004		Summons Issued as to CACTUS-LANCASTER, LLC. Forwarded To: Counsel on 11/17/04 (ac,) (Entered: 11/17/2004)		
12/14/2004	3	WAIVER OF SERVICE Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. CACTUS-LANCASTER, LLC waiver sent of 11/17/2004, answer due 1/18/2005. (wgc,) (Entered: 12/15/2004)		
01/13/2005	4	APPLICATION for Pro Hac Vice Admission of Jay R. Fries on behalf of CACTUS-LANCASTER, LLC. (wgc,)Motion, Statement, Certificate of Service Modified on 1/13/2005 (wgc,). Additional attachment(s) added on 2/4/2005 (bg). (Entered: 01/13/2005)		
01/13/2005	<u>5</u>	APPLICATION for Pro Hac Vice Admission of Kathleen Talty on behalf of CACTUS-LANCASTER, LLC. Motion, Statement, Certificate of Service (wgc, Additional attachment(s) added on 2/4/2005 (bj,). (Entered: 01/13/2005)		
01/14/2005	<u>6</u>	ANSWER to First Amended Complaint with Affirmative Defenses by CACTUS-LANCASTER, LLC, Cert of Serv.(jmp,) (Entered: 01/18/2005)		
01/19/2005	7	ORDER THAT THE APPLICATION OF JAY R. FRIES, ESQ. TO APPEAR PRO HAC VICE ON BEHALF OF DEFENDANT, CACTUS-LANCASTER, LLC IS GRANTED. SIGNED BY JUDGE JUAN R. SANCHEZ ON 1/19/05. 1/19/05 ENTERED AND COPIES MAILED.(fdc) (Entered: 01/19/2005)		
01/19/2005	8	8 ORDER THAT THE APPLICATION OF KATHLEEN A. TALTY, ESQ. TO APPEAR PRO HAC VICE ON BEHALF OF DEFENDANT, CACTUS-LANCASTER, LLC IS GRANTED. SIGNED BY JUDGE JUAN R. SANCHEZ ON 1/19/05. 1/19/05 ENTERED AND COPIES MAILED.(fdc) (Entered: 01/19/2005)		
01/27/2005	9	ORDER THAT A RULE 16 CONFERENCE WILL BE HELD ON 2/7/2005 AT 09:30 AM SIGNED BY JUDGE JUAN R. SANCHEZ ON 1/24/05. 1/27/05 ENTERED AND COPIES MAILED AND E-MAILED.(afm,) (Entered: 01/27/2005)		
02/04/2005	<u>10</u>	MOTION to Strike Appearance of John Kruchko, Esq. as Local Counsel and Substitute Jonathan Krause, Esq. as Local Counsel for Defendant filed by CACTUS-LANCASTER, LLC.Certificate of Service.(FRIES, JAY) (Entered: 02/04/2005)		
02/07/2005	11	ORDER THAT THE APPEARANCE OF JOHN G. KRUCHKO, ESQ. AS LOCAL COUNSEL FOR DEFENDANT, CACTUS-LANCASTER, LLC, IS STRICKEN AND THE APPEARANCE OF JONATHAN KRAUSE, ESQ. MORGAN, LEWIS & BOCKIUS LLP IS ENTERED AS LOCAL COUNSEL FOR DEFENDANTS. SIGNED BY JUDGE JUAN R. SANCHEZ ON 02/04/05.		

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		02/07/05 ENTERED AND COPIES MAILED.(ac,) (Entered: 02/07/2005)	
02/08/2005	<u>12</u>	ORDER THAT THE FOLLOWING DEADLINES ARE SET IN THIS CASE: FINAL PRETRIAL CONFERENCE SET FOR 9/7/2005 09:00 AM BEFORE HONORABLE JUAN R. SANCHEZ. DISCOVERY DUE BY 7/7/2005. MOTIONS DUE BY 7/21/2005. PLAINTIFF PRETRIAL MEMO DUE BY 8/4/2005. DEFENDANT PRETRIAL MEMO DUE BY 8/11/2005. TRIAL POOL SET FOR 10/11/2005 SIGNED BY JUDGE JUAN R. SANCHEZ ON 2/7/05. 2/8/05 ENTERED AND COPIES MAILED AND E-MAILED.(wgc,) (Entered: 02/08/2005)	
02/11/2005	13	Minute Entry for proceedings held before Judge JUAN R. SANCHEZ : Pretrial Conference held on 02/07/05. (ac,) (Entered: 02/11/2005)	
05/13/2005	<u>14</u>	ORDER THAT A SETTLEMENT CONFERENCE IS SCHEDULED FOR JUNE 1, 2005, AT 11:00 A.M. IN COURTROOM TBA. SIGNED BY JUDGE JUAN R. SANCHEZ ON 05/13/05. 05/13/05 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 05/13/2005)	
06/07/2005	15	Minute Entry for proceedings held before Judge JUAN R. SANCHEZ: Settlement Conference held on 06/01/05. (ac,) (Entered: 06/07/2005)	
06/27/2005	<u>16</u>	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY JUDGE JUAN R. SANCHEZ ON 06/24/05. 06/28/05 ENTERED AND COPIES MAILED AND E-MAILED.(ac,) (Entered: 06/28/2005)	
09/13/2005	17	CONSENT DECREE WITH COURT APPROVAL THAT SHALL FULLY AND FINALLY RESOLVE ALL CLAIMS WHICH WERE RAISED BY THE EEOC IN ITS COMPLAINT. SIGNED BY JUDGE JUAN R. SANCHEZ ON 09/13/05. 09/14/05 ENTERED AND COPIES MAILED.(ac,) (Entered: 09/14/2005)	

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