

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Joan B. Gottschall	Sitting Judge If Other than Assigned Judge	Morton Denlow
CASE NUMBER	01 C 4427	DATE	11/26/2003
CASE TITLE	EEOC vs. International Profit Associates, Inc.		


[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

Defendant's motion to enforce Deposition and other relief & EEOC's motion for entry of Protective Order

DOCKET ENTRY:

- (1) Filed motion of [use listing in "Motion" box above.]
- (2) Brief in support of motion due _____.
- (3) Reply to answer brief due 12/5/03
- (4) Hearing on Defendant's motion to enforce and Plaintiff motion for Protective order set for 12/10/03 at 9:30 a.m.
- (5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) Trial[set for/re-set for] on _____ at _____.
- (8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 - FRCP4(m) Local Rule 41.1 FRCP41(a)(1) FRCP41(a)(2).
- (10) [Other docket entry] Motion hearing held. Defendant's motion to bar testimony of James Colello is granted. Enter order. Defendant's motion to strike alleged class members Nos. 142 and 164 is denied for reasons stated in open Court. Defendant's motion to strike alleged class member No. 163 is denied for reasons stated in open Court. Motion to strike alleged class member No. 94 is denied for reasons stated in open Court. Defendant's motion for protective order is granted with respect to placing documents concerning Witness W under seal. Defendant's request that the deposition of Witness W be deemed terminated is denied. EEOC's request that IPA's motion for protective order be denied is denied. EEOC's motion to compel the completion of Witness W's deposition is granted. EEOC's motion for appointment of a special master to attend all depositions is denied. John. W. Cooley (847-328-7285) is appointed as special master to attend the deposition of Witness W. Expenses to be shared equally between both parties. Witness W's personnel filed to be produce under protective order 7 days prior to deposition. Witness W.'s deposition is to be placed under seal pursuant to protective order.. EEOC's motion to compel information [173-1] is denied. EEOC's motion for additional time [173-2] is granted.. Date for disclosing experts and for filing expert reports is vacated and will be reset at status on 1/6/04. Defendant's motion to compel [171-1] is denied.
- (11) [For further detail see order attached to the original minute]

<input type="checkbox"/>	No notices required, advised in open court.	U.S. DISTRICT COURT CLERK 03 NOV 27 PM 2:32 FILED FOR DOCKETING ED-7	DEC 01 2003 DEC 01 2003 dated docketed docketing deputy initials 11/26/2003 date mailed notice DK6 mailing deputy initials	Document Number
<input type="checkbox"/>	No notices required.			
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.			
<input type="checkbox"/>	Notified counsel by telephone.			
<input type="checkbox"/>	Docketing to mail notices.			
<input type="checkbox"/>	Mail AO 450 form.			
<input checked="" type="checkbox"/>	Copy to judge/magistrate judge.			
DK	courtroom deputy's initials	Date/time received in central Clerk's Office		

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**)
)
) **Plaintiff,**)
)
and)
)
MARION TOWNSON)
) **Plaintiff-Intervenor**)
)
v.)
)
**INTERNATIONAL PROFIT ASSOCIATES,
INC.,**)
)
) **Defendant.**)

NO. 01 C 4427

The Hon. Joan B. Gottschall

Mag. Judge Morton Denlow

ORDER

Based upon prior rulings of the Court and advice from the Equal Employment Opportunity Commission that Mr. James F. Colello did not show up for his deposition on November 23, 2003, and refuses to appear at any time, James F. Colello is hereby barred from testifying at trial on behalf of the EEOC or the alleged class and is also barred from submitting any affidavits on behalf of the EEOC or the alleged class in connection with any motions that may be filed in this case.

ENTERED:

By: Morton Denlow
Judge

Date: November 26, 2003

**DOCKETED
DEC - 1 2003**

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