

CLOSED, JURY_TRIAL, PAA

U.S. District Court (Live Database)
U.S. District Court - Eastern District of Tennessee (Winchester)
CIVIL DOCKET FOR CASE #: 4:05-cv-00060

Equal Employment Opportunity Commission v.
Bridgestone/Firestone North American Tire, LLC
Assigned to: Honorable Thomas A Varlan
Referred to: Magistrate H Bruce Guyton
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 05/27/2004
Date Terminated: 02/16/2006
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Celia S Liner**
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Intervenor Plaintiff

Heather Calvert

represented by **Robert S Peters**
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Intervenor Plaintiff

Shawn McBee

represented by **Robert S Peters**
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V.

Defendant

**Bridgestone/Firestone North
American Tire, LLC**
doing business as
Bridgestone/Firestone

represented by **Jason D Fisher**
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Date Filed	#	Docket Text
05/27/2004	1	COMPLAINT against Bridgestone/Firestone North American Tire, LLC , filed by Equal Employment Opportunity Commission.(ANB) (Entered: 05/28/2004)
06/17/2004	2	ANSWER to Complaint with JURY DEMAND by Bridgestone/Firestone

		North American Tire, LLC.(DHJ) (Entered: 06/25/2004)
06/17/2004	3	CERTIFICATE OF CORPORATE INTEREST. (DHJ) (Entered: 06/25/2004)
06/25/2004	4	NOTICE OF CONSENT FORMS mailed to counsel of record: case AT ISSUE. (DHJ) (Entered: 06/25/2004)
06/30/2004	5	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Bridgestone/Firestone North American Tire, LLC waiver sent on 6/2/2004, answer due 8/2/2004. (DHJ) (Entered: 07/01/2004)
07/21/2004	6	MOTION to Intervene by Heather Calvert, Shawn McBee. (DHJ) (Entered: 07/30/2004)
07/21/2004	7	MEMORANDUM in Support of Motion re 6 MOTION to Intervene filed by Heather Calvert, Shawn McBee. (DHJ) (Entered: 07/30/2004)
07/30/2004		NOTICE of Hearing: Scheduling Conference set for 8/24/2004 03:00 PM in Courtroom 3A before Honorable Thomas A Varlan. (DHJ) (Entered: 07/30/2004)
08/13/2004	8	ORDER granting Shawn McBee and Heather Calvert's 6 Motion to Intervene . Signed by Judge Thomas A Varlan on August 13, 2004. (BT) (Entered: 08/13/2004)
09/10/2004		NOTICE of Hearing: Scheduling Conference set for 9/28/2004 01:30 PM in Courtroom 3A before Honorable Thomas A Varlan. (DHJ) (Entered: 09/10/2004)
09/24/2004		NOTICE of Hearing: Scheduling Conference set for 9/28/2004 01:30 PM in Courtroom 3A before Honorable Thomas A Varlan. (Test for NEF notification for Celia Liner) (JN) (Entered: 09/24/2004)
09/28/2004	9	Intervenor COMPLAINT filed by Heather Calvert, Shawn McBee (leave granted per order #8).(DHJ) (Entered: 09/28/2004)
09/28/2004	10	Minute Entry for proceedings held before Judge Thomas A Varlan: Scheduling Conference held on 9/28/2004. Final Pretrial Conference set for 9/1/2005 01:00 PM in Courtroom 3A before Honorable Thomas A Varlan. Jury Trial set for 9/13/2005 09:00 AM in Courtroom 3A before Honorable Thomas A Varlan. (JN) (Entered: 09/29/2004)
10/25/2004	11	SCHEDULING ORDER: Final Pretrial Conference set for 9/1/05 at 1:00 p.m. and jury trial set for 9/13/05 at 9:00 a.m. w/expected length of trial of 3-4 days.Signed by Judge Thomas A Varlan (DHJ) (Entered: 10/25/2004)
01/14/2005	12	NOTICE of Appearance by Jason D Fisher on behalf of Bridgestone/Firestone North American Tire, LLC (Fisher, Jason) (Entered: 01/14/2005)
02/10/2005	13	Joint MOTION to Continue <i>Trial</i> by Heather Calvert, Shawn McBee, Equal Employment Opportunity Commission, Bridgestone/Firestone

		North American Tire, LLC. (Fisher, Jason) (Entered: 02/10/2005)
02/15/2005	14	ORDER granting 13 Motion to Continue; case is reset for trial on 11/14/05; any remaining ddlns included in scheduling order are hereby adjusted to conform to the rescheduled trial date . Signed by Judge Thomas A Varlan on 2/15/05. (DHJ) (Entered: 02/15/2005)
02/15/2005		Set/Reset Hearings: Jury Trial reset for 11/14/2005 09:00 AM in Courtroom 3A before Honorable Thomas A Varlan. (DHJ) (Entered: 02/15/2005)
06/23/2005	15	Agreed Proposed Order (<i>Protective Order</i>) by Heather Calvert, Shawn McBee, Equal Employment Opportunity Commission, Bridgestone/Firestone North American Tire, LLC. (Fisher, Jason) (Entered: 06/23/2005)
06/24/2005	16	AGREED PROTECTIVE ORDERSigned by Judge Thomas A Varlan on 6/24/05. (DHJ) (Entered: 06/24/2005)
07/15/2005	17	MOTION for Summary Judgment by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Appendix to Defendant's Motion for Summary Judgment# 2 Exhibit 1 - Stacy v. Shoney's, Inc.# 3 Exhibit 2 - Swanson v. Livingston County# 4 Exhibit 3 - Walk v. Rubbermaid, Inc.# 5 Exhibit 4-A - Heather Calvert Deposition Excerpts and Exhibits# 6 Exhibit 4-B - Heather Calvert Deposition Excerpts and Exhibits (continued)# 7 Exhibit 4-C - Heather Calvert Deposition Excerpts and Exhibits (continued)# 8 Exhibit 4D - Heather Calvert Deposition Excerpts and Exhibits (continued)# 9 Exhibit 4-E - Heather Calvert Deposition Excerpts and Exhibits (continued)# 10 Exhibit 4F - Heather Calvert Deposition Excerpts and Exhibits (continued)# 11 Exhibit 5 - Lara Hilliard Deposition Excerpts and Exhibits# 12 Exhibit 6-A - Shawn McBee Deposition Excerpts and Exhibits# 13 Exhibit 6-B - Shawn McBee Deposition Excerpts and Exhibits (continued)# 14 Exhibit 7 - Kris McKorkle Deposition Excerpts# 15 Exhibit 8 - Jim Medler Deposition Excerpts and Exhibits# 16 Exhibit 9 - Declaration of Brian Sears with Attached Exhibit "A")(Fisher, Jason) (Entered: 07/15/2005)
07/15/2005	18	MEMORANDUM in Support of Motion re 17 MOTION for Summary Judgment filed by Bridgestone/Firestone North American Tire, LLC. (Fisher, Jason) (Entered: 07/15/2005)
07/18/2005	19	MOTION for Extension of Time to File Response/Reply as to 17 MOTION for Summary Judgment, 18 Memorandum in Support of Motion by Equal Employment Opportunity Commission. (Attachments: # 1)(Liner, Celia) (Entered: 07/18/2005)
07/18/2005	20	NOTICE by Bridgestone/Firestone North American Tire, LLC of <i>Filing (Complete Exhibit "A" to Declaration of Brian Sears)</i> (Attachments: # 1 Exhibit Declaration of Brian Sears with Complete Exhibit "A")(Fisher, Jason) (Entered: 07/18/2005)
07/18/2005	21	MOTION for Extension of Time to File Response/Reply as to 17 MOTION for Summary Judgment, 18 Memorandum in Support of

		Motion by Equal Employment Opportunity Commission. (Attachments: # 1)(Liner, Celia) Modified on 7/20/2005-this doct is duplicate filing of doct 19 of which was granted on 7/20/05. (DHJ) (Entered: 07/18/2005)
07/19/2005	23	SUBPOENA Returned by plaintiff Unexecuted on 6/22/05 as to William J. Fults "Unexecuted, received the subpoena the same day as the deposition" (DHJ) (Entered: 07/20/2005)
07/19/2005	24	SUBPOENA Returned Unexecuted by Equal Employment Opportunity Commission on 6/22/05 as to Christopher Castner "Unexecuted received the subpoena the same day as the deposition. (DHJ) (Entered: 07/20/2005)
07/20/2005	22	ORDER granting 19 Motion for Extension of Time to File Response; pla has until 8/25/05 to respond. Signed by Judge Thomas A Varlan on 7/20/05. (DHJ) (Entered: 07/20/2005)
08/25/2005	25	RESPONSE in Opposition re 17 MOTION for Summary Judgment <i>PLAINTIFF EEOC'S MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Appendices to Plaintiff EEOC's Memorandum in Opposition to Defendant's Motion for Summary Judgment# 2 Appendix Exhibit No. 1 Heather Calvert Deposition Excerpts# 3 Appendix Exhibit No. 1A Exhibits to Calvert Deposition# 4 Exhibit No. 4# 5 Exhibit No. 7# 6 Exhibit No. 8# 7 Exhibit No. 9# 8 Exhibit No. 11# 9 Exhibit No. 13# 10 Exhibit No. 14# 11 Exhibit No. 17# 12 Exhibit No. 19# 13 Exhibit No. 21# 14 Exhibit No. 22# 15 Exhibit No. 23# 16 Appendix Exhibit No. 2 Shawn McBee Excerpts# 17 Appendix Exhibit No. 3# 18 Appendix Exhibit No. 4# 19 Appendix Exhibit No. 4A# 20 Exhibit No. 1# 21 Exhibit No. 8# 22 Exhibit No. 21 thru 23# 23 Exhibit No. 24# 24 Exhibit No. 25# 25 Exhibit No. 26# 26 Appendix Exhibit No. 5# 27 Appendix Exhibit No. 6# 28 Appendix Exhibit No. 7# 29 Appendix Exhibit No. 7A# 30 Exhibit No. 3# 31 Appendix Exhibit No. 8# 32 Appendix Exhibit No. 9# 33 Appendix Exhibit No. 10# 34 Appendix Exhibit No. 11# 35 Appendix Exhibit No. 12)(Liner, Celia) (Entered: 08/25/2005)
09/01/2005	26	MOTION Motion and Memorandum to Transfer Case by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 09/01/2005)
09/01/2005	27	Agreed Proposed Order <i>to Transfer Case</i> by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 09/01/2005)
09/01/2005	28	REPLY to Response to Motion re 17 MOTION for Summary Judgment filed by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Appendix to Reply Brief in Support of Defendant's Motion for Summary Judgment# 2 Exhibit 1 - Excerpts from and Exhibit to Deposition of Heather Calvert# 3 Exhibit 2 - Exhibit to Deposition of Shawn McBee)(Fisher, Jason) (Entered: 09/01/2005)
09/02/2005	29	ORDER granting 26 Motion to Transfer Case to the Winchester Division. Signed by Judge Thomas A Varlan on 9/2/05. (ANB) (Entered: 09/02/2005)

		09/02/2005)
09/02/2005		Case transferred in from Knoxville Division. Case Number 3:04-cv-242. Case assigned to Judge Thomas A Varlan and H Bruce Guyton..(JGM,) (Entered: 09/02/2005)
09/30/2005	30	WITNESS LIST by Bridgestone/Firestone North American Tire, LLC. (Fisher, Jason) (Entered: 09/30/2005)
09/30/2005	31	WITNESS LIST by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 09/30/2005)
10/14/2005	32	MOTION to Continue by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 10/14/2005)
10/14/2005	33	MOTION to Continue by Equal Employment Opportunity Commission. (Attachments: # 1 Text of Proposed Order for Continuance)(Liner, Celia) (Entered: 10/14/2005)
10/14/2005	34	Proposed Jury Instructions by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Exhibit (Attachment - unpublished case)) (Fisher, Jason) (Entered: 10/14/2005)
10/14/2005	35	Exhibit List <i>and Deposition Designations</i> by Bridgestone/Firestone North American Tire, LLC.. (Fisher, Jason) (Entered: 10/14/2005)
10/14/2005	36	MOTION in Limine <i>to Exclude Evidence Relating to Shawn McBee's Discharges in 2001 and 2004 and Brief in Support</i> by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Exhibit Shawn McBee Deposition Excerpts and Exhibit)(Fisher, Jason) (Entered: 10/14/2005)
10/14/2005	37	MOTION in Limine <i>to Exclude Alleged Conduct Occurring Outside of Work and Brief in Support</i> by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Exhibit 1 - Heather Calvert Deposition Excerpts# 2 Exhibit 2 - Shawn McBee Deposition Excerpts)(Fisher, Jason) (Entered: 10/14/2005)
10/14/2005	38	MOTION in Limine <i>to Exclude Acts not Shown to be Based on Gender, Including Alleged "Retaliation" by Co-Workers, and Brief in Support</i> by Bridgestone/Firestone North American Tire, LLC. (Attachments: # 1 Exhibit 1 - Heather Calvert Deposition Excerpts and Exhibit# 2 Exhibit 2 - Shawn McBee Deposition Excerpts)(Fisher, Jason) (Entered: 10/14/2005)
10/17/2005	39	Joint MOTION Proposal on Evidence Presentation Equipment by Heather Calvert, Shawn McBee, Equal Employment Opportunity Commission, Bridgestone/Firestone North American Tire, LLC. (Fisher, Jason) (Entered: 10/17/2005)
10/17/2005	40	PROPOSED PRETRIAL ORDER <i>Joint Pretrial Order</i> by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 10/17/2005)

10/19/2005	41	ORDER granting 39 Motion on Joint Proposal on Evidence Presentation Equipment . Signed by Judge Thomas A Varlan on 10/19/05. (JGM,) (Entered: 10/19/2005)
10/21/2005	42	MEMORANDUM AND ORDER denying 17 Motion for Summary Judgment . Signed by Judge Thomas A Varlan on 10/21/05. (JGM,) (Entered: 10/21/2005)
10/21/2005	43	JOINT PRETRIAL ORDER. Trial length 3-4 days. Settlement uncertainSigned by Judge Thomas A Varlan on 10/21/05. (JGM,) (Entered: 10/21/2005)
10/21/2005	44	ORDER granting 33 Motion to Continue. Trial date is continued to Tuesday, 7/11/06 at 9:00 a.m. in Winchester . Signed by Judge Thomas A Varlan on 10/21/05. (JGM,) (Entered: 10/21/2005)
10/21/2005		Set/Reset Hearings: Jury Trial reset for 7/11/2006 09:00 AM in Winchester before Honorable Thomas A Varlan. (JGM,) (Entered: 10/21/2005)
10/25/2005	45	RESPONSE to Motion re 38 MOTION in Limine <i>to Exclude Acts not Shown to be Based on Gender, Including Alleged "Retaliation" by Co-Workers, and Brief in Support Plaintiff EEOC's Response to Defendant's Motion in Limine</i> filed by Equal Employment Opportunity Commission. (Liner, Celia) (Entered: 10/25/2005)
02/16/2006	46	AGREED ORDER OF VOLUNTARY DISMISSAL WITH PREJUDICE.Signed by Judge Thomas A Varlan on 2/16/06. (ANB) (Entered: 02/16/2006)
02/16/2006	47	CONSENT DECREE Signed by Judge Thomas A Varlan on 2/16/05. (JGM,) (Entered: 02/16/2006)

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