CLOSED, STANDARD

United States District Court Eastern District of Pennsylvania (Philadelphia) CIVIL DOCKET FOR CASE #: 2:98-cv-01471-JW

EQUAL EMPLOYMENT v. AIRBORNE EXPRESS Assigned to: HONORABLE JAY C. WALDMAN

Demand: \$0

Cause: 42:2000 Job Discrimination (Race)

Date Filed: 03/20/1998

Date Terminated: 06/18/1999

Jury Demand: Both

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

Plaintiff

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION represented by BRIAN RHODES

SUNOCO, INCORPORATED TEN PENN CENTER 1801 MARKET STREET PHILADELPHIA, PA 19103 LEAD ATTORNEY ATTORNEY TO BE NOTICED

JACQUELINE H. MCNAIR

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

WANDA FLOWERS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PHILADELPHIA DISTRICT OFFICE, THE BOURSE 111 S. INDEPENDENCE MALL EAST 21 SOUTH FIFTH STREET - SUITE 400 PHILADELPHIA, PA 19106-2515 TEL 215-451-5800 LEAD ATTORNEY ATTORNEY TO BE NOTICED

V.

Defendant

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AIRBORNE EXPRESS

represented by SHARON M. ERWIN

LAW OFFICES OF SHARON M. ERWIN, LLC 3130 W. PENN ST PHILADELPHIA, PA 19129-1016 215-438-8813 Email: erwin@erwinlegal.com LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text	
03/20/1998	1	Complaint. (aam) (Entered: 03/23/1998)	
03/20/1998		Summons(es) issued; 1 original mailed to: Counsel 3/20/98 (aam) (Entered: 03/23/1998)	
03/20/1998		Demand for jury trial by PLAINTIFF EQUAL EMPLOYMENT. (aam) (Entered: 03/23/1998)	
03/20/1998		Standard Case Management Track. (aam) (Entered: 03/23/1998)	
04/07/1998	2	Affidavit of: GERALD TAYLOR re: served summons and complaint upon JAMES POPE, PHILADELPHIA TERMINAL MANAGER, ON BEHALF O DEFENDANT AIRBORNE EXPRESS. Served by: PERSONAL SERVICE of 3/31/98. (jl) Modified on 04/08/1998 (Entered: 04/07/1998)	
04/15/1998	3	Appearance of SHARON M. ERWIN for DEFENDANT AIRBORNE EXPRESS; jury demand, Certificate of Service. (adr) (Entered: 04/15/1998)	
04/16/1998	4	Stipulation extending time to answer the complaint. Answer due on 5/1/98 for AIRBORNE EXPRESS, with Clerk's approval. (adr) (Entered: 04/17/1998)	
05/01/1998	5	Answer to Complaint by DEFENDANT AIRBORNE EXPRESS (Attorney SHARON M. ERWIN); jury demand, Certificate of Service. (adr) (Entered: 05/04/1998)	
05/01/1998		ISSUE JOINED. (adr) (Entered: 05/04/1998)	
06/03/1998	6	6 SCHEDULING ORDER SETTING TRIAL POOL DEADLINE FOR 3/1/99 DISCOVERY SHALL BE COMPLETED BY 1/20/99, ETC. IN THE EVEN DEPOSITION IS TO BE OFFERED, THE OFFERING PARTY SHALL FII WITH THE COURT, PRIOR TO THE COMMENCEMENT OF THE TRIA COPY OF THE DEPOSITION TRANSCRIPT, ETC. (SIGNED BY JUDGE JAY C. WALDMAN) 6/4/98 ENTERED AND COPIES MAILED. (kw) (Entered: 06/04/1998)	
07/23/1998	7	MOTION by DEFENDANT AIRBORNE EXPRESS TO COMPEL UNTIMELY DISCOVERY RESPONSES AND SELF-EXECUTING DISCLOSURE, CERTIFICATE OF SERVICE. (adr) (Entered: 07/24/1998)	
08/06/1998	8	Letter to Judge Waldman from Shron M. Erwin, Esq. re: Deft Airborne Express withdraws motion to compel, etc. (mc) (Entered: 08/07/1998)	

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08/13/1998	9	ORDER THAT DEFT'S MOTION TO COMPEL UNTIMELY DISCOVERY RESPONSES AND SELF-EXECUTING DISCLOSURE IS DENIED AS MOOT. (SIGNED BY JUDGE JAY C. WALDMAN) 8/14/98 ENTERED AND COPIES MAILED. (adr) Modified on 08/14/1998 (Entered: 08/14/1998)			
08/13/1998	10	Notice by DEFENDANT AIRBORNE EXPRESS of withdrawal of Motion to Compel & Cert. of Service. (lm) (Entered: 08/14/1998)			
12/31/1998	11	MOTION by PLAINTIFF EQUAL EMPLOYMENT TO EXTEND TIME FOR EXTENSION OF TIME TO COMPLETE DISCOVERY AND RESCHEDULING OF TRIAL DATE, CERTIFICATE OF SERVICE. (adr) (Entered: 01/04/1999)			
12/31/1998	12	MOTION by PLAINTIFF EQUAL EMPLOYMENT FOR PROTECTIVE ORDER AGAINST DEFT'S DEPOSITION NOTICE OF EEOC PERSONNEL, MEMORANDUM. (adr) (Entered: 01/04/1999)			
01/11/1999	13	MOTION by DEFENDANT AIRBORNE EXPRESS TO COMPEL ANSWERS TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS, MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (td) (Entered: 01/12/1999)			
01/14/1999	14	Response by DEFENDANT AIRBORNE EXPRESS to Plaintiff's MOTION FOR EXTENSION OF TIME, Certificate of Service. (jl) (Entered: 01/15/1999)			
01/15/1999	15	Response of Defendant Airborne Express to Plaintiff's Motion for Protective Order Against Defendant's Deposition Notice of EEOC Personnel, Certificate of Service. (dt) (Entered: 01/19/1999)			
01/15/1999	16	Memorandum of Law in Support of Opposition of Defendant Airborne Express to Plaintiff's Motion for Protective Order, Certificate of Service. (dt) (Entered: 01/19/1999)			
01/19/1999	17	MOTION by DEFENDANT AIRBORNE EXPRESS TO COMPEL, MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (fe) (Entered: 01/20/1999)			
01/29/1999	18	Supplemental Memorandum by DEFENDANT AIRBORNE EXPRESS in support of MOTION TO COMPEL and for Entry of Preclusion order, Certificate of Service. (np) (Entered: 02/01/1999)			
02/08/1999	19	Second supplemental Memorandum by DEFENDANT AIRBORNE EXPRESS in support of motions to compel, Certificate of Service. (adr) (Entered: 02/09/1999)			
02/08/1999		Request for sanctions by DEFENDANT AIRBORNE EXPRESS. (see paper #1 (adr) (Entered: 02/09/1999)			
02/17/1999	20	MOTION by DEFENDANT AIRBORNE EXPRESS FOR LEAVE TO IDENTIFY EXPERT WITNESS ,and/or SCHEDULE PSYCHIATRIC EXAMINTATION , MEMORANDUM, CERTIFICATE OF SERVICE. (jl) (Entered: 02/18/1999)			
02/17/1999	21	Response by PLAINTIFF EQUAL EMPLOYMENT in opposition to Defendant's MOTION TO COMPEL DISCOVERY AND REQUEST FOR THE			

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		IMPOSITION OF SANCTIONS , Certificate of Service. (jl) (Entered: 02/18/1999)	
02/19/1999	22	ORDER THAT DEFT'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS UPON WHICH DEPONENT QUESTIONED IS GRANTED IN PART IN THAT PLFF SHALL WITHIN 10 DAYS PRODUCE THE DOCUMENT OR DOCUMENTS FROM WHICH COUNSEL FOR PLFF WAS QUOTING DURING HIS DEPOSITION OF MR. SUTTON, OR IDENTIFY AND DESCRIBE SUCH DOCUMENT OR DOCUMENTS, AND SAID MOTION IS OTHERWISE DENIED. (SIGNED BY JUDGE JAY C. WALDMAN) 2/19/99 ENTERED AND COPIES MAILED. (adr) (Entered: 02/19/1999)	
02/19/1999	23	ORDER THAT PLFF'S MOTION FOR EXTENSION OF TIME TO COMPLETE DISCOVERY AND RESCHEDULING OF TRIAL DATE IS GRANTED IN THAT THE DISCOVERY DEADLINE IS EXTENDED TO 4/1/99 AND THE CASE WILL BE PLACED IN THE TRIAL POOL OF 6/1/99. (SIGNED BY JUDGE JAY C. WALDMAN) 2/19/99 ENTERED AND COPIES MAILED. (adr) (Entered: 02/19/1999)	
02/23/1999	24	MEMORANDUM AND ORDER THAT PLFF EEOC'S MOTION FOR A PROTECTIVE ORDER IS DENIED WITHOUT PREJUDICE TO THE EEOC PROPERLY AND IN GOOD FAITH TO ASSERT ANY APPLICABLE PRIVILEGE IN RESPONSE TO PARTICULAR DEPOSITION QUESTIONS OR DOCUMENT REQUESTS. (SIGNED BY JUDGE JAY C. WALDMAN) 2/24/99 ENTERED AND COPIES MAILED. (adr) (Entered: 02/24/1999)	
02/26/1999	25	Praecipe by DEFENDANT AIRBORNE EXPRESS to withdraw motion for leave to identify expert witness and/or schedule psychiatric examination, certificate of service. (adr) (Entered: 03/01/1999)	
03/11/1999	26	Reply by DEFENDANT AIRBORNE EXPRESS to plff's response in opposition to deft's motion to compel discovery and for the imposition of sanctions, certificate of service. (adr) (Entered: 03/12/1999)	
03/26/1999	27	MOTION by DEFENDANT AIRBORNE EXPRESS TO COMPEL PRODUCTION OF WRONGFULLY WITHHELD DOCUMENT AND FOR SANCTIONS, MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (EXHIBIT FILED UNDER SEAL) (adr) Modified on 03/29/1999 (Entered: 03/29/1999)	
04/05/1999	28	Memorandum by PLAINTIFF EQUAL EMPLOYMENT in opposition to Defendant's MOTION TO COMPEL DISCOVERY AND REQUEST FOR SANCTIONS, Certificate of Service. (jl) (Entered: 04/08/1999)	
04/15/1999	29	ORDER THAT DEFT'S MOTION FOR LEAVE TO IDENTIFY EXPERT WITNESS AND/OR SCHEDULE PSYCHIATRIC EXAMINATION IS DENIED AS MOOT. (SIGNED BY JUDGE JAY C. WALDMAN) 4/15/99 ENTERED AND COPIES MAILED. (adr) (Entered: 04/15/1999)	
04/20/1999	30	MEMORANDUM AND ORDER THAT DEFT'S MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS IS GRANTED IN PART IN THAT WITHIN 7 DAYS PLFF SHALL PRODUCE TO DEFT A COPY OF THE PORTION OF THE NOTES OF MR. WILKINS WHICH PURPORTS TO	

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		DESCRIBE ANY INCIDENTS OF DISCRIMINATORY COMMENTS, ETC., AND SAID MOTION IS OTHERWISE DENIED. (SIGNED BY JUDGE JAY C. WALDMAN) 4/21/99 ENTERED AND COPIES MAILED. (adr) (Entered: 04/21/1999)	
05/03/1999	31	Plaintiff's Pretrial Memorandum. (adr) (Entered: 05/04/1999)	
05/11/1999	32	Defendant's Pretrial Memorandum, Certificate of Service. (adr) (Entered: 05/12/1999)	
05/14/1999	33	MOTION by DEFENDANT AIRBORNE EXPRESS FOR SUMMARY JUDGMENT, MEMORANDUM, CERTIFICATE OF SERVICE, APPENDIX. (jl) (Entered: 05/17/1999)	
05/20/1999	34	ORDER THAT DEFT'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS IS DENIED AS MOOT WITHOUT PREJUDICE, ETC. (SIGNED BY JUDGE JAY C. WALDMAN) 5/20/99 ENTERED AND COPIES MAILED. (adr) (Entered: 05/20/1999)	
05/24/1999	35	MOTION by DEFENDANT AIRBORNE EXPRESS TO EXTEND TIME TO RESPOND TO DEFT'S MOTION FOR SUMMARY JUDGMENT, CERTIFICATE OF SERVICE. (adr) Modified on 05/27/1999 (Entered: 05/25/1999)	
05/25/1999	36	Requested Voir dire questions by DEFENDANT AIRBORNE EXPRESS Certificate of Service. (adr) (Entered: 05/26/1999)	
05/25/1999	37	Proposed Points for Charge by DEFENDANT AIRBORNE EXPRESS Certificate of Service. (adr) (Entered: 05/26/1999)	
05/25/1999	38	Response by DEFENDANT AIRBORNE EXPRESS to plff's MOTION for extension of TIME TO RESPOND TO DEFT'S MOTION FOR SUMMARY JUDGMENT, Certificate of Service. (adr) (Entered: 05/26/1999)	
05/27/1999	39	ORDER THAT PLFF'S MOTION TO EXTEND TIME TO RESPOND TO DEFT'S MOTION FOR SUMMARY JUDGMENT IS GRANTED IN THAT PLFF SHALL HAVE UNTIL 6/11/99 TO RESPOND TO DEFT'S MOTION FOR SUMMARY JUDGMENT. (SIGNED BY JUDGE JAY C. WALDMAN) 5/27/99 ENTERED AND COPIES MAILED. (adr) (Entered: 05/27/1999)	
05/27/1999	40	MOTION by DEFENDANT AIRBORNE EXPRESS IN LIMINE TO PRECLUDE EVIDENCE OF ALLEGED EMOTIONAL DISTRESS AND/OR PSYCHOLOGICAL DISORDER, MEMORANDUM, CERTIFICATE OF SERVICE. (adr) (Entered: 05/28/1999)	
06/09/1999	41	MOTION by PLAINTIFF EQUAL EMPLOYMENT REQUESTING 60-DAY ORDER, CERTIFICATE OF SERVICE. (np) (Entered: 06/09/1999)	
06/10/1999	42	Notice of withdrawal of motion requesting 60 day order by PLAINTIFF EQUAL EMPLOYMENT, certificate of service. (adr) (Entered: 06/10/1999)	
06/11/1999	43	ORDER THAT PLFF'S MOTION REQUESTIG 60 DAY ORDER IS DENIED AS MOOT; AND, THE DATE BY WHICH PLFF SHALL FILE ANY RESPONSE TO DEFT'S OUTSTANDING SUMMARY JUDGMENT MOTION	

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		IS EXTENDED FOR A FINAL TIME TO 6/18/99 . (SIGNED BY JUDGE JAY C. WALDMAN) 6/11/99 ENTERED AND COPIES MAILED; COPIES FAXED FROM CHAMBERS. (adr) (Entered: 06/11/1999)	
06/11/1999	44	Letter dated 6/10/99 from Brian Rhodes to Judge Waldman re: withdrawal of motion requesting 60 day order. (adr) (Entered: 06/11/1999)	
06/11/1999	45	Letter dated 6/10/99 from Brian Rhodes to Judge Waldman re: addendum to the Commission's Notice of withdrawal of motion requesting 60 day order. (adr) (Entered: 06/11/1999)	
06/18/1999	46	Letter dated 6/14/99 from Brian Rhodes, Esq. to Judge Waldman re: deposition of Rodney Wilkins. (adr) (Entered: 06/18/1999)	
06/18/1999	47	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY JUDGE JAY C. WALDMAN 6/18/99 ENTERED AND COPIES MAILED. (adr) (Entered: 06/18/1999)	
06/18/1999		Case closed (kv) (Entered: 06/29/1999)	
12/21/2005	48	Notice to Counsel re: Local Rule 5.1.5. (sc,) (Entered: 12/21/2005)	
04/13/2006		Document No. 27 unsealed pursuant to LRCP 5.1.5. (td) (Entered: 04/13/2006)	

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