

CLOSED, FRC, KRS

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:99-cv-01625-JA**

E.E.O.C. v. Denny's Inc.
Assigned to: Judge John Antoon II
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 12/20/1999
Date Terminated: 06/25/2001
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Carla Johanna Von Greiff**
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Intervenor Plaintiff

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V.

Defendant

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Intervenor Defendant

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen Thomas Ball
 (See above for address)
LEAD ATTORNEY
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Movant

Valerie Yerrick
TERMINATED: 03/10/2000

represented by **Jason L. Gunter**
 (See above for address)
TERMINATED: 03/10/2000
LEAD ATTORNEY
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Mediator

Jay M. Cohen
TERMINATED: 06/21/2001

represented by **Jay M. Cohen**
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 PRO SE

Date Filed	#	Docket Text
12/20/1999	<u>1</u>	COMPLAINT filed. Title VII Civil Rights action alleging sexual harassment in employment. Jury Demand. (nbl) Modified on 06/12/2001 (Entered: 12/20/1999)
12/20/1999		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Karla R. Spaulding (nbl) (Entered: 12/20/1999)
12/20/1999		SUMMONS(ES) issued for Denny's Inc. . Consent(s) issued. (nbl) (Entered: 12/20/1999)
12/20/1999	<u>2</u>	ORDER directing counsel to review and certify compliance with Local Rule 1.04(c) within 10 days. (Signed by Judge G. Kendall Sharp) ctc (nbl) (Entered: 12/20/1999)
12/22/1999	<u>3</u>	NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (lak) (Entered: 12/22/1999)
01/13/2000	<u>5</u>	NOTICE of filing certificate of compliance with Local Rule 1.04(c) by E.E.O.C. (nrs) (Entered: 01/13/2000)
01/13/2000	<u>6</u>	CERTIFICATE OF COMPLIANCE by E.E.O.C. with [2-1] order - no related cases. (nrs) (Entered: 01/13/2000)

01/28/2000	<u>7</u>	RETURN OF SERVICE executed as to Denny's Inc. 1/14/00. Answer due on 2/3/00 for Denny's Inc. (jrm) (Entered: 01/28/2000)
02/03/2000	<u>8</u>	ANSWER AND DEFENSES to Complaint by Denny's Inc. (maa) (Entered: 02/03/2000)
02/16/2000	<u>9</u>	CONFLICT ORDER directing all parties to file a certificate of conflict within 11 days. (Signed by Judge Anne C. Conway) ctc (maa) (Entered: 02/16/2000)
02/24/2000	<u>10</u>	CERTIFICATE OF interested persons and corporate disclosure statement in COMPLIANCE by plaintiff E.E.O.C. with [9-1] conflict order. (djd) (Entered: 02/25/2000)
02/24/2000	<u>11</u>	RESPONSE by defendant Denny's Inc. to [9-1] conflict order (djd) (Entered: 02/25/2000)
02/25/2000	<u>12</u>	MOTION with memorandum in support to intervene as plaintiff by Valerie Yerrick referred to Magistrate Judge Karla R. Spaulding. (maa) (Entered: 02/28/2000)
03/08/2000	<u>13</u>	RESPONSE by E.E.O.C. to [12-1] motion to intervene as plaintiff by Valerie Yerrick. (maa) (Entered: 03/08/2000)
03/10/2000	<u>14</u>	ORDER granting [12-1] motion to intervene as plaintiff by Valerie Yerrick and directing clerk to file Ms. Yerrick's complaint. (Signed by Magistrate Judge Karla R. Spaulding) ctc (maa) (Entered: 03/10/2000)
03/10/2000	<u>15</u>	Intervenor's COMPLAINT by Valerie Yerrick against Denny's Inc. (maa) (Entered: 03/10/2000)
03/27/2000	<u>16</u>	CASE MANAGEMENT REPORT (maa) (Entered: 03/27/2000)
03/30/2000	<u>17</u>	ANSWER AND DEFENSES by Denny's Inc. to [15-1] intervenor complaint. (maa) Modified on 03/30/2000 (Entered: 03/30/2000)
04/20/2000	<u>18</u>	INTERESTED PERSONS ORDER FOR CIVIL CASES directing intervenor-plaintiff to file a certificate of interested persons and corporate disclosure statement within 11 days. ctc (maa) (Entered: 04/20/2000)
04/26/2000	<u>19</u>	CERTIFICATE OF INTERESTED PARTIES by Valerie Yerrick. (maa) (Entered: 04/27/2000)
04/28/2000	<u>20</u>	CASE MANAGEMENT AND SCHEDULING ORDER setting Joining of parties, amending of pleadings on 7/17/00; Discovery cutoff 3/2/01; dispositive motion filing deadline for 7/16/01; Pretrial statement due on or before 7/16/01; Pretrial conference for 10:00, 8/3/01 before Magistrate Judge Karla R. Spaulding and... R. Spaulding) ctc (maa) (Entered: 04/28/2000)
04/28/2000	20	... Jury trial for 8:30, 9/4/01 on the Unassigned Docket. (signed by Magistrate Judge Karla R. Spaulding) ctc (maa) (Entered: 04/28/2000)
04/28/2000	20	ORDER referring case to mediation. Appointing Jay M. Cohen as mediator. Conduct hearing by 6/1/01. (Signed by Magistrate Judge Karla

		R. Spaulding) ctc (maa) (Entered: 04/28/2000)
06/05/2000	<u>21</u>	NOTICE OF CASE REASSIGNMENT to the Honorable Judge John Antoon II. ctc (maa) (Entered: 06/05/2000)
09/05/2000	<u>22</u>	NOTICE canceling hearing Re: Final Pretrial Conference set for 8/3/01. (Signed by Deputy Clerk) ctc (maa) (Entered: 09/05/2000)
09/08/2000	<u>23</u>	AMENDED NOTICE canceling hearing Re: Final Pretrial Conference set for 8/3/01. (Signed by Deputy Clerk) ctc (maa) (Entered: 09/08/2000)
01/31/2001	<u>24</u>	NOTICE of Reassignment to new attorney by E.E.O.C. (maa) (Entered: 01/31/2001)
02/23/2001	<u>25</u>	MOTION by plaintiff, E.E.O.C., and intervenor-plaintiff, Valerie Yerrick, for leave to file amended [1-1] complaint and amended [15-1] intervenor complaint to add Eddie Stanley as an additional sexual harasser . (maa) (Entered: 02/23/2001)
03/02/2001	<u>26</u>	MOTION by Denny's Inc. with memorandum in support for leave for additional time to complete the deposition of intervenor-plaintiff Valerie Yerrick referred to Magistrate Judge Karla R. Spaulding. (maa) (Entered: 03/02/2001)
03/02/2001	<u>27</u>	NOTICE of Filing deposition of Valerie Yerrick by Denny's Inc. (maa) (Entered: 03/02/2001)
03/02/2001	<u>28</u>	DEPOSITION of Valerie Yerrick (taken 1/25/01) by Denny's Inc. re: [26-1] motion for leave for additional time to the deposition of intervenor-plaintiff Valerie Yerrick. (maa) (Entered: 03/02/2001)
03/02/2001	<u>29</u>	MOTION by Denny's Inc. to extend time discovery deadline for limited purpose referred to Magistrate Judge Karla R. Spaulding. (maa) (Entered: 03/05/2001)
03/02/2001	<u>30</u>	MOTION by Denny's Inc. with memorandum in support to compel responses to interrogatories, requests for production of documents, FIOA response and for costs associated with this motion referred to Magistrate Judge Karla R. Spaulding. (maa) (Entered: 03/05/2001)
03/12/2001	<u>31</u>	MEMORANDUM by Denny's Inc. in opposition to [25-1] motion for leave to file amended [1-1] complaint and amended [15-1] intervenor complaint to add Eddie Stanley as an additional sexual harasser (sld) (Entered: 03/13/2001)
03/13/2001	<u>32</u>	NOTICE OF HEARING: oral argument on Defendant's Motion for Leave for Additional Time to Complete the Deposition of Intervenor-Plaintiff Valerie Yerrick (Doc. #26), Defendant's Motion for Enlargement of Discovery Deadline for Limited Purpose (Doc. #29) and Defendant's Motion to Compel (Doc. #30) will be held on Tuesday, March 20, 2001 at 11:00 a.m.; further ordered that no later than three business days before the date of this hearing, the parties shall again confer by telephone or in person in a good faith effort to resolve the issues raised, and to narrow

		the contested issues of fact and law that the Court must resolve; Motion hearing set for 11:00 on 3/20/01 for [26-1] motion for leave for additional time to complete the deposition of intervenor-plaintiff Valerie Yerrick, [30-1] motion to compel responses to interrogatories, requests for production of documents, FIOA response, [30-2] motion for costs associated with this motion and [29-1] motion to extend time discovery deadline for limited purpose; Scheduled for Magistrate Judge Karla R. Spaulding (Signed by Magistrate Judge Karla R. Spaulding on 3/12/01) ctc (sld) (Entered: 03/13/2001)
03/16/2001	33	NOTICE of withdrawing portions of pending motion to compel Equal Employment Opportunity Commission's responses to interrogatories, request fro production of documents, FOIA response and for costs associated with the motion as moot by Denny's Inc. (sld) (Entered: 03/16/2001)
03/16/2001	34	RESPONSE by E.E.O.C. in opposition to [29-1] motion to extend time discovery deadline for limited purpose (sld) (Entered: 03/19/2001)
03/16/2001	35	RESPONSE by E.E.O.C. in opposition to [26-1] motion for leave for additional time to complete the deposition of intervenor-plaintiff Valerie Yerrick (sld) (Entered: 03/19/2001)
03/16/2001	36	RESPONSE by E.E.O.C. in opposition to [30-1] motion to compel responses to interrogatories, requests for production of documents, FIOA response and [30-2] motion for costs associated with this motion (sld) (Entered: 03/19/2001)
03/20/2001	37	MOTION HEARING held on 3/20/01 re: [26-1] motion for leave for additional time to complete the deposition of intervenor-plaintiff Valerie Yerrick, [29-1] motion to extend time discovery deadline for limited purpose, [30-1] motion to compel responses to interrogatories, requests for production of documents, FIOA response, [30-2] motion for costs associated with this motion before Magistrate Judge Karla R. Spaulding. Tape: 2001-KRS-19:6225-9400, 2001-KRS-20:1-2044 (maa) (Entered: 03/20/2001)
03/20/2001	38	ORDER granting [26-1] motion for leave for additional time to complete the deposition of intervenor-plaintiff Valerie Yerrick; granting in part, denying in part [30-1] motion to compel responses to interrogatories, requests for production of documents, FIOA response and [30-2] motion for costs associated with this motion; granting [29-1] motion to extend time discovery deadline limited purpose: reset discovery deadline to 4/20/01 and dispositive motion dealine to 5/4/01 . (by Magistrate Judge Karla R. Spaulding) ctc (maa) (Entered: 03/20/2001)
03/22/2001	39	ORDER denying [25-1] motion for leave to file amended [1-1] complaint and amended [15-1] intervenor complaint to add Eddie Stanley as an additional sexual harasser. (Signed by Judge John Antoon II) ctc (maa) (Entered: 03/22/2001)
04/30/2001	40	JOINT MOTION by E.E.O.C., Denny's Inc., Valerie Yerrick to extend time to 6/14/01 to complete mediation . (maa) (Entered: 05/01/2001)

05/04/2001	41	MOTION by Denny's Inc. for summary judgment . (maa) (Entered: 05/07/2001)
05/04/2001	42	MEMORANDUM by Denny's Inc. in support of [41-1] motion for summary judgment. (exhibits filed separately) (maa) (Entered: 05/07/2001)
05/04/2001	43	NOTICE of Filing Deposition Transcripts and Excerpts in support of defendant's motion for summary judgment by Denny's Inc. (maa) (Entered: 05/07/2001)
05/04/2001	44	DEPOSITION - VOLUME I - of Valeria Yerrick (taken 1/25/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) Modified on 05/07/2001 (Entered: 05/07/2001)
05/04/2001	45	DEPOSITION - VOLUME II - of Valerie Yerrick (taken 4/16/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	46	DEPOSITION of Kelvin Buggs (taken 2/23/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	47	DEPOSITION of Carol Clemons (taken 2/9/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	48	DEPOSITION of Patricia S. Cowley (taken 3/2/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	49	DEPOSITION of Richard English (taken 2/21/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	50	DEPOSITION of Matthew Forschner (taken 1/26/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	51	DEPOSITION of Willie J. Nickles, Jr. (taken 2/5/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	52	DEPOSITION of Joanne Shideler (taken 2/20/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	53	DEPOSITION of Eddie Stanley (taken 2/7/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)
05/04/2001	54	DEPOSITION of Virginia Carroll (taken 3/1/01) by Denny's Inc. re: [41-1] motion for summary judgment. Transcript filed separately. (maa) (Entered: 05/07/2001)

05/08/2001	55	ORDER granting [40-1] joint motion to extend time to 6/14/01 to complete mediation (Signed by Judge John Antoon II) etc (sld) (Entered: 05/08/2001)
05/11/2001	56	UNOPPOSED MOTION by E.E.O.C. to extend time to 6/1/01 to respond to defendant's motion for summary judgment . (maa) (Entered: 05/14/2001)
05/14/2001	57	NOTICE OF FILING AND AFFIDAVIT of Mary Keller by Denny's Inc. Re: [41-1] motion for summary judgment (maa) (Entered: 05/14/2001)
05/15/2001	58	ORDER granting [56-1] motion to extend time to 6/1/01 to respond to defendant's motion for summary judgment: response to motion set to 6/1/01 for [41-1] motion for summary judgment . (Signed by Judge John Antoon II) etc (maa) (Entered: 05/15/2001)
06/01/2001	59	RESPONSE by E.E.O.C. in opposition to [41-1] motion for summary judgment. (maa) (Entered: 06/01/2001)
06/01/2001	60	STATEMENT OF DISPUTED MATERIAL FACTS REMAINING FOR TRIAL by E.E.O.C. in support of [59-1] opposition response. (maa) (Entered: 06/01/2001)
06/01/2001	61	NOTICE of Filing Deposition in support of [60-1] Statement of Material Facts by E.E.O.C. (maa) (Entered: 06/01/2001)
06/01/2001	62	DEPOSITION of Virginia Carroll (taken 3/1/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	63	DEPOSITION of Nelson Rivera (taken 3/1/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	64	DEPOSITION of Valerie Pellegrini, Ph.D. (taken 2/13/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	65	DEPOSITION of Carol Clemons (taken 2/9/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	66	DEPOSITION of Richard English (taken 2/21/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	67	DEPOSITION of Kelvin Buggs (taken 2/23/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/01/2001	68	DEPOSITION of Joanne Shideler (taken 2/20/01) by E.E.O.C. re: [60-1] Statement of Material Facts. Transcript filed separately. (maa) (Entered: 06/01/2001)
06/21/2001	69	MEDIATION REPORT. Mediation conference held: 6/14/01. Jay Cohen,

		mediator. Hearing outcome: Settled. (maa) (Entered: 06/21/2001)
06/25/2001	70	ORDER OF DISMISSAL without prejudice to reopen within 60 days or to submit a stipulated form of final judgment. (Signed by Judge John Antoon II) ctc (maa) (Entered: 06/25/2001)
06/25/2001		CASE CLOSED. (maa) (Entered: 06/25/2001)
06/27/2001	71	AMENDED MEDIATION REPORT. Mediation conference held: 6/14/01. Jay M. Cohen, mediator. Hearing outcome: Conditionally Settled. (maa) (Entered: 06/27/2001)
08/17/2001	72	MOTION by E.E.O.C., Denny's Inc., Valerie Yerrick with memorandum in support for entry of stipulated order . (maa) (Entered: 08/20/2001)
09/04/2001	73	ORDER granting [72-1] motion for entry of stipulated order. (Signed by Judge John Antoon II) ctc (maa) (Entered: 09/04/2001)

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