

CLOSED

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:98-cv-00164-bbc**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v. TRU GREEN LIMITED PARTNERSHIP
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Demand: \$0
Cause: No cause code entered

Date Filed: 03/09/1998
Date Terminated: 03/24/1999
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**Equal Employment Opportunity
Commission**

represented by **Henry Hamilton, Iii**
EEOC – MILWAUKEE DISTRICT
OFFICE
310 W. WISCONSIN AVE., STE. 800

MILWAUKEE, WI 53203
(414) 297-4185
ATTORNEY TO BE NOTICED

V.

Defendant**Tru Green Limited Partnership**

represented by **Kelly S. Gooch**
LEWIS, FISHER, HENDERSON
&CLAXTON
5050 POPLAR AVENUE, SUITE 1717

MEMPHIS, TN 38157
(901) 767-6160
ATTORNEY TO BE NOTICED

Defendant**Tru Green-chem Lawn**

represented by **Kelly S. Gooch**
LEWIS, FISHER, HENDERSON
&CLAXTON
MEMPHIS, TN 38157
(901) 767-6160
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/09/1998		Jams Import Utility Entry (Entered: 03/09/1998)
03/09/1998		NORTC (Entered: 03/09/1998)
03/09/1998	1	JS-44 (Entered: 03/09/1998)
03/09/1998	2	COMPLAINT (Entered: 03/09/1998)
03/09/1998		SUMMONS ISSUED (Entered: 03/09/1998)
04/28/1998	3	WAIVER OF SERVICE OF SUMMONS (Entered: 04/28/1998)
05/29/1998	4	MOTION BY DEFT. TO ADMIT ATTY.F.LEWIS &K.GOOCH PRO HAC VICE. (Entered: 05/29/1998)
05/29/1998	5	ANSWER (Entered: 05/29/1998)
06/01/1998	6	ORDER GRANTING DEFT'S MOTION TO ADMIT ATTYS LEWIS AND GOOCH PRO HAC VICE. (JWS) CC MLD (Entered: 06/01/1998)

06/03/1998	7	DISCLOSURE OF CORP. AFFIL. &FINAN. INT. BY DEFT. TRUGREEN LIMITED PARTNERSHIP. (Entered: 06/03/1998)
06/16/1998		RECD. TELE. REQ. BY ATTY. GANTS FOR MLGS. TO BE SENT TO MEMPHIS COUNSEL. (Entered: 06/16/1998)
06/30/1998	8	NOTICE OF APPEARANCE OF ATTY HENRY HAMILTON III ON BEHALF OF PLTF. (Entered: 06/30/1998)
06/30/1998	9	PPTC REPORT BY – RULE 26(f) REPORT BY PARTIES. (Entered: 06/30/1998)
06/30/1998	10	PTC ORDER W/ORDER GOVERNING FPTC.(SLC) (Entered: 06/30/1998)
07/31/1998	11	MOTION TO AMEND ANSWER BY DEFT. (Entered: 07/31/1998)
07/31/1998	12	BRIEF IN SUPPORT BY DEFT. TO AMEND ANSWER. (Entered: 07/31/1998)
07/31/1998	13	CERTIFICATE OF CONSULTATION RE:AMEND.OF ANSWER, BY DEFT. (Entered: 07/31/1998)
07/31/1998	14	ORDER GRANT.DEFT'S MO TO AMEND ANSWER.(JWS)cc:mld (Entered: 07/31/1998)
07/31/1998	15	ANSWER (AMENDED)BY DEFT. (Entered: 07/31/1998)
08/04/1998	16	ANSWER – DEFT'S AMENDED ANSWER TO COMPLAINT (Entered: 08/04/1998)
08/10/1998	17	MOTION FOR PROTECTIVE ORDER BY PLTF. (Entered: 08/10/1998)
08/10/1998	18	BRIEF IN SUPPORT BY PLTF OF MO FOR PROTECTIVE ORDER. (Entered: 08/10/1998)
08/10/1998	19	AFFIDAVIT OF HENRY HAMILTON III. (Entered: 08/10/1998)
08/17/1998	20	BRIEF IN OPPOSITION BY DEFT.OF MO FOR PROTECTIVE ORDER. (Entered: 08/17/1998)
08/17/1998	21	MOTION FOR PROTECTIVE ORDER BY DEFT. (Entered: 08/17/1998)
08/17/1998	22	BRIEF IN SUPPORT BY DEFT.OF MO FOR PROTECTIVE ORDER. (Entered: 08/17/1998)
08/17/1998	23	CERTIFICATE OF CONSULTATION BY DEFT. (Entered: 08/17/1998)
08/19/1998	24	ORDER GRANTING MOS FOR PROTECTIVE ORDER FILED BY BOTH PLTF &DEFT (NO COSTS AWARDED); S/J DEADLINE MOVED TO 10/30/98.(SLC) (Entered: 08/19/1998)
08/27/1998	25	LETTER NOTIFICATION OF TRIAL DATE CONFLICT BY DEFT. (Entered: 08/27/1998)
08/27/1998	26	ORDER RE:DEFT'S LETTER NOTIFICATION OF TRIAL DATE CONFLICT. (SLC) (Entered: 08/27/1998)
09/15/1998	27	TRANSCRIPT OF TELEPHONE MOTION HRG.BEFORE MAG.CROCKER,8/18/98 (Entered: 09/15/1998)
10/07/1998	28	MOTION (2ND)MO TO AMEND ANSWER, BY DEFT. (Entered: 10/07/1998)
10/07/1998	29	BRIEF IN SUPPORT BY DEFT.OF (2ND)MO TO AMEND ANSWER. (Entered: 10/07/1998)
10/07/1998	30	CERTIFICATE OF CONSULTATION. (Entered: 10/07/1998)
10/08/1998	31	ORDER GRANT.DEFT'S MO FOR LV TO FILE(2ND)AMENDED ANSWER.(JWS) cc:mld (Entered: 10/08/1998)
10/08/1998	32	ANSWER (2ND)AMENDED TO COMPLT. (Entered: 10/08/1998)
10/19/1998	33	MOTION FOR PROTECTIVE ORDER BY PLTF. (Entered: 10/19/1998)

10/19/1998	34	BRIEF IN SUPPORT BY PLTF OF MO FOR PROTECTIVE ORDER. (Entered: 10/19/1998)
10/19/1998	35	AFFIDAVIT OF DENNIS R. MCBRIDE. (Entered: 10/19/1998)
10/21/1998	36	MOTION (JOINT) FOR SETTLEMENT CONFERENCE AND FOR POSTPONEMENT OF S/J DEADLINE, BY PARTIES. (Entered: 10/21/1998)
10/22/1998	37	ORDER GRANT. PARTIES' JOINT REQUEST FOR POSTPONEMENT OF S/J DEADLINE. ADD'L SCHEDULING TO BE SET @10/29 MO. HRG.(SLC) (Entered: 10/22/1998)
10/26/1998	38	BRIEF IN OPPOSITION BY DEFT TO PLTF'S MOTION FOR PROTECTIVE ORDER. (Entered: 10/26/1998)
11/04/1998	39	MOTION FOR LEAVE TO FILE REPLY MEMO IN SUPPORT OF MOTION FOR PROTECTIVE ORDER, BY PLTF. (Entered: 11/04/1998)
11/04/1998	40	AFFIDAVIT OF DENNIS R. MCBRIDE (Entered: 11/04/1998)
11/05/1998	41	ORDER ON TELE. MOTION HRG ON 11/5/98. S/J DATES EXTENDED. RULING RESERVED ON PLTF MO FOR PROTECTIVE ORDER. (SLC) (Entered: 11/05/1998)
11/12/1998	42	TRANSCRIPT OF TELE. MO. HRG HELD ON 11/5/98 BEFORE MAGISTRATE JUDGE CROCKER. (Entered: 11/12/1998)
11/17/1998	43	ORDER GRANTING PLTF'S MO FOR PROTECTIVE ORDER; PLTF'S ITEMIZ. OF EXPENSES DUE 11/20/98; DEFT'S RESPONSE DUE 11/24/98. (SLC) (Entered: 11/17/1998)
11/20/1998	44	PLTF'S ITEMIZATION OF EXPENSES INCURRED IN CONNECTION WITH ITS MOTION TO QUASH DEFT'S 1ST REQUEST FOR ADMISSIONS. (Entered: 11/20/1998)
11/20/1998	45	AFFIDAVIT OF DENNIS R. MCBRIDE (THIRD) IN SUPP OF PLTF'S ITEMIZATION OF EXPENSES. (Entered: 11/20/1998)
12/01/1998	46	ORDER GRANTING PLTF EEOC'S REQUEST FOR COSTS. DEFT & ITS CNSL JOINTLY & SEVERALLY TO PAY PLTF \$3,007.14 BY 12/31/98. (SLC) (Entered: 12/01/1998)
12/04/1998	47	MOTION FOR SUMMARY JUDGMENT BY DEFT. (Entered: 12/04/1998)
12/04/1998	48	BRIEF IN SUPPORT OF MO. FOR S/J BY DEFT. (Entered: 12/04/1998)
12/04/1998	49	PROPOSED S/J FINDINGS/CONCL. & SUPPORT OF S/J MO. OF DEFT. (Entered: 12/04/1998)
12/04/1998	50	AFFIDAVIT OF LAURI D. MORRIS (Entered: 12/04/1998)
12/07/1998	51	MOTION FOR SUMMARY JUDGMENT (PARTIAL) BY PLTF. (Entered: 12/07/1998)
12/07/1998	52	BRIEF IN SUPPORT OF PARTIAL S/J OF PLTF. (Entered: 12/07/1998)
12/07/1998	53	PROPOSED S/J FINDINGS/CONCL. IN SUPP. OF PARTIAL S/J OF PLTF. (Entered: 12/07/1998)
12/07/1998	54	AFFIDAVIT OF HENRY HAMILTON III IN SUPP OF PARTIAL S/J OF PLT (Entered: 12/07/1998)
12/07/1998	55	MOTION – OBJECTIONS TO MAG/JUDGE'S ORDERS OF 11/17/98 AND 12/1/98 (Entered: 12/07/1998)
12/07/1998	56	BRIEF IN SUPPORT OF DEFT'S EXCEPTIONS TO MAG./JUDGE'S ORDERS DATED 11/17/98 AND 12/1/98 (Entered: 12/07/1998)
12/22/1998	57	MOTION BY DEFT FOR LEAVE TO FILE REPLY BRIEF IN SPT OF DEFT'S EXCEPTIONS TO MAGISTRATE JUDGE'S ORDERS. (Entered: 12/23/1998)

12/22/1998	58	BRIEF IN SUPPORT OF DEFT'S MO. FOR LEAVE TO FILE REPLY BRIEF IN SPT OF DEFT'S EXCEPTIONS TO MAGISTRATE JUDGE'S ORDERS. (Entered: 12/23/1998)
12/29/1998	59	DEPOSITION OF RITA BURNS, ON 10/6/98, BY DEFT. (Entered: 12/29/1998)
12/29/1998	60	DEPOSITION OF ROXANNE WATTS, ON 10/5/98, BY DEFT. (Entered: 12/29/1998)
12/29/1998	61	ORDER GR.DEFT'S MO/FILE REPLY BRF;AFFIRM'G U.S.MAG'S 11/17/98 ORDER;VACAT.MAG'S 12/1/98 ORDER;SUPP.BRFG ON FEE REQUEST.(BC (Entered: 12/30/1998)
12/29/1998	62	BRIEF IN OPPOSITION –TO DEFT'S EXCEPTIONS TO MAGISTRATE/JUDGE ORDERS, BY PLTF. (FILED ON 12/17/98) (Entered: 12/30/1998)
12/30/1998	63	PROPOSED S/J FINDINGS/CONCL. (AMENDED)BY DEFT.OF MO FOR S/J. (Entered: 12/30/1998)
12/30/1998	64	AFFIDAVIT OF FREDERICK J. LEWIS. (Entered: 12/30/1998)
01/04/1999	65	BRIEF IN OPPOSITION TO PLTF'S MO FOR PARTIAL S/J, BY DEFT. (Entered: 01/04/1999)
01/04/1999	66	RESPONSE TO S/J FINDINGS/CONCL. OF LAW OF PLTF, BY DEFT. (Entered: 01/04/1999)
01/05/1999	67	BRIEF IN OPPOSITION BY PLTF. OF MO FOR S/J. (Entered: 01/05/1999)
01/05/1999	68	RESPONSE TO S/J FINDINGS/CONCL. BY PLTF.TO MO FOR S/J. (Entered: 01/05/1999)
01/05/1999	69	AFFIDAVIT OF STEVE BEATTIE. (Entered: 01/05/1999)
01/05/1999	70	AFFIDAVIT OF LORI POTACZEK. (Entered: 01/05/1999)
01/05/1999	71	AFFIDAVIT OF HENRY HAMILTON III. (Entered: 01/05/1999)
01/11/1999	72	AFFIDAVIT OF (FOURTH)OF DENNIS R. MCBRIDE. (Entered: 01/11/1999)
01/15/1999	73	BRIEF IN REPLY IN SUPP OF PLTF'S MO FOR S/J. (Entered: 01/19/1999)
01/15/1999	74	PROPOSED S/J FINDINGS/CONCL. – PLTF'S SUPPLEMENTAL PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. (Entered: 01/19/1999)
01/15/1999	75	AFFIDAVIT OF HENRY HAMILTON III IN SUPP OF PLTF'S OPPOSITION TO DEFT'S MO FOR S/J. (Entered: 01/19/1999)
01/15/1999	76	BRIEF IN REPLY BY DEFT OF MO FOR S/J. (Entered: 01/19/1999)
01/15/1999	77	REPLY TO PROPOSED S/J FINDINGS/CONCL. BY DEFT.TO MO FOR S/J. (Entered: 01/19/1999)
01/15/1999	78	AFFIDAVIT OF LAURI D. MORRIS. (Entered: 01/19/1999)
01/22/1999	79	BRIEF IN OPPOSITION TO PLTF'S STATEMENT OF EXPENSES (AS STATED IN FOURTH AFFIDAVIT OF DENNIS R. MCBRIDE), BY DEFT. (Entered: 01/22/1999)
03/10/1999	80	MOTION BY DEFT TO STRIKE PLTF'S EMOTIONAL DAMAGES;ALTERNATIVE MO TO COMPEL MED.RECORDS OR REOPEN POTACZEK DEPO;EXT.OF TIME (Entered: 03/11/1999)
03/10/1999	81	BRIEF IN SUPPORT OF DEFT'S MO TO STRIKE DAMAGES CLAIM, OR ALTERNATIVE MO/COMPEL RECORDS &TO REOPEN DEPO &EXT.OF TIME. (Entered: 03/11/1999)
03/12/1999	82	AFFIDAVIT OF – AMENDED AFFIDAVIT OF HENRY HAMILTON III IN SUPP OF PLTF'S OPP TO DEFT'S MO FOR S/J. (Entered: 03/12/1999)

03/16/1999	83	BRIEF IN OPPOSITION OF MO TO STRIKE EMOTIONAL DAMAGES, COMPEL PROD. AND EXTEND DISCOVERY, BY PLTF. (Entered: 03/16/1999)
03/18/1999	84	BRIEF IN REPLY BY DEFT IN SPT OF MOTION TO STRIKE DAMAGES CLAIM, COMPEL PRODUCTION, AND EXTEND DISCOVERY. ***SEALED*** (Entered: 03/18/1999)
03/19/1999	85	DEPOSITION OF RITA BURNS, TAKEN BY DEFT, ON 10/6/98. (Entered: 03/19/1999)
03/19/1999	86	DEPOSITION OF ROXANNE WATTS, TAKEN BY DEFT, ON 10/5/98. (Entered: 03/19/1999)
03/19/1999	87	DEPOSITION OF PETER J. POTACZEK, TAKEN BY DEFT, ON 8/20/98. (Entered: 03/19/1999)
03/19/1999	88	DEPOSITION OF WILLIAM CHUKUSKY, TAKEN ON 12/16/98. (Entered: 03/19/1999)
03/19/1999	89	DEPOSITION OF JAMES L. JASENSKY, TAKEN BY PLTF, ON 11/24/98. (VOL. 1) (Entered: 03/19/1999)
03/19/1999	90	DEPOSITION OF JAMES L. JASENSKY, TAKEN BY PLTF, ON 11/25/98. (VOL.2) (Entered: 03/19/1999)
03/19/1999	91	DEPOSITION OF JEFFREY J. SCHAEFER, TAKEN BY PLTF, ON 11/4/98. (Entered: 03/19/1999)
03/19/1999	92	DEPOSITION OF ROBERT J. PHILLIPS, TAKEN BY PTLF, ON 11/25/98. (Entered: 03/19/1999)
03/24/1999	93	ORDER GRANT. DEFT'S MO FOR S/J, &DENY. AS MOOT PLTF'S MO FOR PARTIAL S/J; CLK TO ENTER JUDGMENT FOR DEFT &CLOSE CASE.(BC (Entered: 03/24/1999)
03/24/1999	94	ORDER DENYING AS MOOT DEFT'S MO TO STRIKE PLTF'S CLAIM FOR EMOTIONAL DAMAGES. (BC) (Entered: 03/24/1999)
03/24/1999	95	JUDGMENT – DEFT'S MO FOR S/J GRANTED; JUDGMENT ENTERED FOR DEFT AND CASE CLOSED. (JWS) cc mld (Entered: 03/24/1999)
04/06/1999	96	MOTION TO RECONSIDER BY PLTF. (Entered: 04/06/1999)
04/06/1999	97	BRIEF IN SUPPORT OF PLTF'S MOTION TO RECONSIDER JUDGMENT. (Entered: 04/06/1999)
04/06/1999	98	AFFIDAVIT OF HENRY HAMILTON, III, (AMENDED AFFID.) IN SPT OF PLTF'S MO FOR RECONSIDERATION. (Entered: 04/06/1999)
04/07/1999	99	AFFIDAVIT OF HENRY HAMILTON, III,(SUBSTITUTED AFFID.)IN SPT OF PLTF'S MO FOR RECONSIDERATION. (Entered: 04/07/1999)
04/07/1999	100	ORDER DENYING PLTF'S MO TO ALTER OR AMEND JUDGMENT ENTERED IN THIS CASE ON 3/24/99. (BC) (Entered: 04/07/1999)
04/23/1999	101	BILL OF COSTS BY DEFT. (Entered: 04/23/1999)
05/17/1999		***SEALED DOCUMENT #84 RETURNED TO ATTY KELLY GOOCH, DEFTS' ATTORNEY*** (Entered: 05/17/1999)
05/18/1999	102	TAXATION OF COSTS AGAINST PLTF. IN THE AMT OF \$2,470.40;CC MLD (JWS) (Entered: 05/18/1999)
06/04/1999	103	NOTICE OF APPEAL BY PLTF, FEE PD, NO JSTMT., CYS MLD, SHORT MLD.(99-2436) (Entered: 06/04/1999)
06/30/1999		RECORD PREPARED (Entered: 06/30/1999)
05/01/2000	104	ORDER FROM USCA THAT APPEAL IS DISMISSED. (99-2436) (Entered: 05/01/2000)