

**U.S. District Court
Northern District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:99-cv-02807-PAG**

USA v. Johnson, et al
Assigned to: Hon. Patricia A. Gaughan
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 11/17/1999
Date Terminated: 04/09/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights:
Jobs
Jurisdiction: U.S. Government
Plaintiff

Plaintiff

United States of America

represented by **Avery S. Friedman**
Friedman & Associates
701 City Club Bldg.
850 Euclid Avenue
Cleveland, OH 44114
216-621-9282
Fax: 216-621-9283
Email:
averyfriedman@hotmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bill Lann Lee
Department Of Justice
Civil Rights Division
Housing & Civil Enforcement
Section
P.O. Box 65998
Washington, DC 20035-5998
202-514-6164
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jenny R. Yang
Department Of Justice
Civil Rights Division
Employment Litigation Section
P.O. Box 65968
Washington, DC 20035-5968

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Stephen J. Curran
Department Of Justice
Civil Rights Division
Employment Litigation Section
P.O. Box 65968
Washington, DC 20035-5968
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

William B. Fenton
U.S. Department of Justice - Civil
Rights Division
Ste. 4016
950 Pennsylvania Avenue, NW
Washington, DC 20530
202-514-3168
Fax: 202-514-1005
Email:
william.b.fenton@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Defendant

William R Johnson
*Ashtabula County Sheriff (in his
official capacity)*

represented by **Thomas L. Sartini**
Office Of The Prosecuting
Attorney
Ashtabula County
25 West Jefferson Street
Jefferson, OH 44047
216-576-3662
Email:
tlsartini@co.ashtabula.oh.us
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Timothy T. Reid
Reid Wargo
Ste. 2000
55 Public Square
Cleveland, OH 44113

216-861-3086
Fax: 216-861-4409
Email: TReid@rmwlaw.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Ashtabula Board of County
Commissioners, County of**

represented by **Thomas L. Sartini**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Timothy T. Reid
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff/Intervenor

Celicia E Dibble

represented by **Avery S. Friedman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kenneth D. Myers
Ste. 1300
75 Public Square
Cleveland, OH 44113
216-241-3900
Fax: 216-621-9640
Email: kdmy@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/17/1999		FILING FEE: WAIVED (M,K A.) (Entered: 11/18/1999)
11/17/1999		ASSIGNMENT OF MAGISTRATE JUDGE pursuant to Local Rule 3.1, Assignment of Cases. In the event of referral this case will be referred to Mag. Judge Jack B. Streepy . 1 pg (V,K) (Entered: 11/19/1999)
11/17/1999	1	COMPLAINT; jury demand (Service: summons & magistrate

		consent form issd) (5 pgs) (V,K) (Entered: 11/19/1999)
11/17/1999	2	CIS filed by USA. ECF Req. By Jenny R. Yang; Recommended Track: Standard. (1 pg) (V,K) (Entered: 11/19/1999)
12/10/1999	3	ANSWER to Complaint by Ashtabula Bd Comr; jury demand (3 pgs) (V,K) (Entered: 12/13/1999)
12/10/1999	4	ANSWER to Complaint by William R Johnson; jury demand (3 pgs) (V,K) (Entered: 12/13/1999)
12/27/1999	5	MOTION by plaintiff for attorney Jenny R. Yang and Stephen J. Curran to appear pro hac vice (3 pgs) (S,R) (Entered: 12/28/1999)
12/27/1999	6	DECLARATION of Jenny R. Yang by plaintiff USA re motion for attorney Jenny R. Yang and Stephen J. Curran to appear pro hac vice [5-1] (2 pgs) (S,R) (Entered: 12/28/1999)
12/27/1999	7	DECLARATION of Stephen J. Curran by plaintiff re motion for attorney Jenny R. Yang and Stephen J. Curran to appear pro hac vice [5-1] (2 pgs) (S,R) (Entered: 12/28/1999)
12/30/1999		MARGINAL ENTRY ORDER granting mot for attys Jenny R. Yang and Stephen J. Curran to appear pro hac vice [5-1]. (issd 1/4/00) Judge Donald C. Nugent [EOD Date: 1/4/00] (V,K) (Entered: 01/04/2000)
01/27/2000	8	CASE MANAGEMENT CONFERENCE scheduling order. CMC set 2:15 p.m. on 2/23/00 (issued on 1/26/00) (8 pgs) Judge Donald C. Nugent [EOD Date: 1/27/00] (W,J) (Entered: 01/27/2000)
02/02/2000	9	MOTION by Celicia Dibble for lv to intervene of right and for other relief. (5 pgs) (V,K) (Entered: 02/03/2000)
02/02/2000	10	MOTION (COPY) by non-party Celecia E. Dibble to transfer case to Judge John M. Manos. (7 pgs) (V,K) (Entered: 02/16/2000)
02/17/2000	11	DISCOVERY PLAN RE: FRCP 26 by pltf & defts (4 pgs) (B,E J) (Entered: 02/17/2000)
02/28/2000	12	BRIEF by William R Johnson, Ashtabula Bd Comr in opposition to motion by non-party Celecia E. Dibble to transfer case to Judge John M. Manos. [10-1] (5 pgs) (B,E J) (Entered: 02/29/2000)
03/06/2000	13	ORDER. Purs to L.R. 3.1.(b)(3) case transferred to Judge John M. Manos. (issd) (2 pgs) Judge Donald C. Nugent [EOD Date:

		3/7/00] (V,K) (Entered: 03/07/2000)
03/09/2000	14	NOTICE by defts of depo of Cecilia Dibble on 3/27/00 & productn of witness. (3 pgs) (B,B) (Entered: 03/10/2000)
03/17/2000	15	NOTICE of hearing in room: 3301 Key Tower, before: Judge Manos status hearing 1:30 4/10/00 (issued on 3/17/00) (1 pgs) (K,V) (Entered: 03/17/2000)
04/03/2000		MARGINAL ENTRY ORDER granting mot by Celicia Dibble for lv to intervene of right and for other relief [9-1]. (issd 4/4/00) Judge John M. Manos [EOD Date: 4/4/00] (V,K) (Entered: 04/04/2000)
04/03/2000	16	ATTORNEY APPEARANCE on behalf of pltf by atty Avery S. Friedman. (2 pgs) (V,K) (Entered: 04/04/2000)
04/03/2000	17	MINUTES of proceedings before Judge John M. Manos; Court Reporter: none. Status conf held 4/3/00; discovery cutoff date is 7/10/00. Trial immed after Timothy Dibble's trial (1:99cv2613) sched 7/17/00. (1 pg) (V,K) (Entered: 04/04/2000)
04/03/2000	32	INTERVENOR'S COMPLAINT w/jury demand filed by intvp Celicia Dibble. (19 pgs) (V,K) (Entered: 07/26/2000)
05/09/2000	18	NOTICE OF SUBMISSION by defendants of discovery responses to pltf on 5/8/00 (2 pgs) (S,R) (Entered: 05/11/2000)
06/27/2000	19	NOTICE OF SUBMISSION by defts of discovery to pltf on 6/23/00. (2 pgs) (V,K) (Entered: 06/28/2000)
06/27/2000	20	MOTION by deft for lv to file attached ans instanter to intv cmp. (3 pgs & ans) (V,K) (Entered: 06/28/2000)
06/28/2000	21	MOTION by defts for order to remove pltf's cnsl; NOTICE of Celecia Dibble's alteration of medical records & perpetuation of fraud upon the Ct; & MOTION for sanctions (59 pgs) (M,J A A) (Entered: 06/29/2000)
06/28/2000	22	MOTION by defts for lv to submit affidavit in supp of mtn for sanctions under seal (Affidavit submitted under seal attached) (attach & 2 pgs) (M,J A A) (Entered: 06/29/2000)
07/03/2000	23	RESPONSE by plaintiff to motion by defts for order to remove pltf's cnsl; [21-1] (13 pgs) (K,V) (Entered: 07/03/2000)
07/03/2000	24	DECLARATION by plaintiff re: response to defts' mot to remove pltf's counsel [23-1] (34 pgs) (K,V) (Entered: 07/03/2000)
07/05/2000	25	RESPONSE by intvp Celicia E Dibble to motion by defts for

		order to remove pltf's cnsl; [21-1], & to motion for sanctions [21-2] AND (H,D) (Entered: 07/06/2000)
07/05/2000	25	MOTION by intvp Celicia E Dibble to strike 6/22/00 depo of pltf-intervenor , in limine , & for sanctions against defts & their cnsl. (71 pgs) (H,D) (Entered: 07/06/2000)
07/05/2000	26	MINUTES of proceedings before Judge John M. Manos: conf held; disc up until 7/24/00; trial 7/24/00 in 1:99cv2613; Court reporter Marian Banno (1 pg) (M,EJ) (Entered: 07/10/2000)
07/10/2000	27	NOTICE OF SUBMISSION by defts of resps to pltf's disc req. (2 pgs) (V,K) (Entered: 07/10/2000)
07/20/2000	28	TRIAL ORDER scheduling trial at 9:00 a.m. on 8/21/00; 4 copies of trial brfs shall be filed with the Ct on 8/11/00, etc. (issued on 7/20/00) (2 pgs) Judge John M. Manos [EOD Date: 7/24/00] (M,J A A) (Entered: 07/24/2000)
07/24/2000	29	MOTION by intvp Celecia Dibble for lv to file amd complt. (Amd Complt attached) (attach & 3 pgs) (M,J A A) (Entered: 07/25/2000)
07/24/2000	30	MOTION by pltf for lv to file amd complt. (Amd Complt attached) (attach & 2 pgs) (M,J A A) (Entered: 07/25/2000)
07/24/2000	31	MEMORANDUM by pltf in support of its mtn for lv to file amd complt. [30-1] (6 pgs) (M,J A A) (Entered: 07/25/2000)
08/01/2000	33	MOTION by defts for lv to ans amended complts & to file a cntrcm. (Answer to Amd Complt & Answer to intervenor pltf's comply & cntrcm attached) (attach & 7 pgs) (M,J A A) (Entered: 08/01/2000)
08/04/2000	34	RESPONSE by intervenor-pltf Celicia E Dibble to defts' mtn for lv to file cntrcm & demand for jury trial [33-1] (5 pgs) (M,J A A) (Entered: 08/07/2000)
08/04/2000	35	RESPONSE Memo by pltf USA in opp to defts' mtn for lv to file a cntrcm & demand a jury trial. [33-1] (12 pgs) (M,J A A) (Entered: 08/07/2000)
08/04/2000	36	PROPOSED Jury instructions by defts. (35 pgs) (M,J A A) (Entered: 08/07/2000)
08/04/2000	37	PROPOSED VOIR DIRE Questions by defts. (5 pgs) (M,J A A) (Entered: 08/07/2000)
08/07/2000		MARGINAL ENTRY ORDER: granting motion by deft for lv to file attached ans instanter to intv cmp. [20-1] (issued on

		8/10/00) Judge John M. Manos [EOD Date: 8/9/00] (S,R) (Entered: 08/09/2000)
08/07/2000	43	ANSWER to Complaint by defendants; jury demand (7 pgs) (S,R) (Entered: 08/16/2000)
08/11/2000	38	PRE-TRIAL PROPOSED FINDINGS of fact and conclusions of law of plaintiff (33 pgs) (S,R) (Entered: 08/12/2000)
08/11/2000	39	TRIAL brief by plaintiff (36 pgs) (S,R) (Entered: 08/12/2000)
08/11/2000	40	TRIAL brief by intervenor-plaintiff Celicia E Dibble (4 pgs) (S,R) (Entered: 08/12/2000)
08/11/2000	41	PROPOSED FINDINGS of fact and conclusions of law of intervenor-plaintiff Celicia E Dibble (2 pgs) (S,R) (Entered: 08/12/2000)
08/11/2000	42	TRIAL brief by defts, including witness & exhibit lists (15 pgs) (M,EJ) (Entered: 08/14/2000)
08/16/2000		MARGINAL ENTRY ORDER: granting motion by defts for lv to submit affidavit in supp of mtn for sanctions under seal [22-1] (issued on 8/17/00) Judge John M. Manos [EOD Date: 8/17/00] (S,R) (Entered: 08/17/2000)
08/16/2000	44	AFFIDAVIT of Timothy T. Reid (6 pgs) (FILED UNDER SEAL) (S,R) (Entered: 08/17/2000)
08/18/2000	45	NOTICE OF submission by defts of disc resps on 8/18/00 (2 pgs) (V,K) (Entered: 08/21/2000)
08/18/2000	46	RESPONSE by defts to pltf United States' mot in limine to exclude defts' witnesses and exhs. (6 pgs) (V,K) (Entered: 08/21/2000)
08/18/2000	47	MOTION by USA in limine precluding defts from presenting at trial various witnesses & exhibits. (4 pgs) (H,D) (Entered: 08/21/2000)
08/18/2000	48	MEMORANDUM by USA in support of motion by USA in limine precluding defts from presenting at trial various witnesses & exhibits. [47-1] (39 pgs) (H,D) (Entered: 08/21/2000)
08/22/2000	49	ORDER purs to L.R. 3.1(b). Case reassigned to Judge Patricia A. Gaughan. (issd 8/22/00) (1 pg) Judge John M. Manos [EOD Date: 8/22/00] (V,K) (Entered: 08/22/2000)
08/25/2000	50	REPLY by plaintiff to response to motion by USA in limine precluding defts from presenting at trial various witnesses &

		exhibits. [47-1] (4 pgs) (K,V) (Entered: 08/26/2000)
08/25/2000	51	REPLY by USA to response to motion by USA in limine precluding defts from presenting at trial various witnesses & exhibits. [47-1] (24 pgs) (K,V) (Entered: 08/26/2000)
08/29/2000	52	ORDER: settlement conf set for 9:30 on 9/27/00 before Judge Gaughan in room 202 (issued on 8/29/00) (1 pg) Judge Patricia A. Gaughan [EOD Date: 8/30/00] (S,R) (Entered: 08/30/2000)
09/20/2000		MARGINAL ENTRY ORDER: granting motion by intvp Celecia Dibble for lv to file amd complt. [29-1] (issued on 9/20/00) Judge Patricia A. Gaughan [EOD Date: 9/22/00] (S,R) (Entered: 09/22/2000)
09/20/2000	53	AMENDED INTERVENOR COMPLAINT by plaintiff/intervenor Celecia E Dibble [32-1] (8 pgs) (S,R) Modified on 09/22/2000 (Entered: 09/22/2000)
09/20/2000		MARGINAL ENTRY ORDER: denying motion by intvp Celicia E Dibble to strike 6/22/00 depo of pltf-intervenor [25-1], in limine [25-2] and for sanctions against defts & their cnsl. [25-3] (issued on 9/20/00) Judge Patricia A. Gaughan [EOD Date: 9/22/00] (S,R) (Entered: 09/22/2000)
09/20/2000		MARGINAL ENTRY ORDER: denying motion by defts for order to remove pltf's cnsl [21-1] and for sanctions [21-2] (issued on 9/20/00) Judge Patricia A. Gaughan [EOD Date: 9/22/00] (S,R) (Entered: 09/22/2000)
09/20/2000		MARGINAL ENTRY ORDER: granting motion by pltf for lv to file amd complt. [30-1] (issued on 9/22/00) Judge Patricia A. Gaughan [EOD Date: 9/22/00] (S,R) (Entered: 09/22/2000)
09/20/2000	54	AMENDED COMPLAINT by plaintiff USA [1-1] (5 pgs) (S,R) (Entered: 09/22/2000)
09/20/2000	55	ORDER: motion by defts for lv to ans amended complts & to file a cntclm gr in part and denied in part [33-1]; dfts are gr leave to answer pltf's' amd cmlpts; however, leave to file cntclm is denied (issued on 9/20/00) (4 pgs) Judge Patricia A. Gaughan [EOD Date: 9/22/00] (S,R) (Entered: 09/22/2000)
09/20/2000	56	ANSWER to Plaintiff-Intervenor's Amended Complaint by defendants; jury demand (5 pgs) (S,R) (Entered: 09/22/2000)
09/20/2000	57	ANSWER to Amended Complaint by defendants; jury demand (3 pgs) (S,R) (Entered: 09/22/2000)
09/27/2000		MARGINAL ENTRY ORDER finding the motion by USA in

		limine precluding defts from presenting at trial various witnesses & exhibits moot [47-1]. Pltf may re-file after the new disc ddl has passed. (issd 9/28/00) Judge Patricia A. Gaughan [EOD Date: 9/28/00] (V,K) (Entered: 09/28/2000)
09/27/2000	58	CIVIL MINUTES/ORDER. Settlement conf held; expert discovery ddl is 3/15/01; final pretrial set for 9:00 a.m. on 4/9/01; trial set for 10:00 a.m. on 4/23/01. Non-expert disc ddl is ext to 1/15/01; defts' expert reports due 1/15/01; pltfs' due 2/15/01. (issd 10/3/00) (1 pg) Judge Patricia A. Gaughan [EOD Date: 10/4/00] (V,K) (Entered: 10/04/2000)
09/28/2000	59	CONSENT DECREE resolving all issues raised in the amd cmp of US only, etc. (issd 10/3/00) (16 pgs) Judge Patricia A. Gaughan [EOD Date: 10/4/00] (V,K) (Entered: 10/04/2000)
04/09/2001	60	ORDER: entry of 9/27/01 is amended to reflect that the consent decree is a final (issued on 4/10/01) (1 pg) Judge Patricia A. Gaughan [EOD Date: 4/13/01] (S,R) (Entered: 04/13/2001)