

CLOSED

**U.S. District Court**  
**United States District Court for the Western District of Virginia (Roanoke)**  
**CIVIL DOCKET FOR CASE #: 7:98-cv-00084-jlk-gc**

EEOC v. Alliant Techsystems, et al  
Assigned to: Judge Jackson L. Kiser  
Referred to: Magistrate Judge Glen E. Conrad(Magistrate)  
Demand: \$0  
Case in other court: 99-01375  
                          99-01377(consolidatedw/99-00137  
                          BarbaraTaylor  
Cause: 42:2003 Job Discrimination

Date Filed: 02/03/1998  
Date Terminated: 03/09/1999  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Arlene T. Shadoan**  
EEOC  
10 SOUTH HOWARD STREET  
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**Intervenor Plaintiff**

**Fredric N. Jones**

represented by **Bruce N. Cameron**  
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V.

**Defendant**

**Alliant Techsystems, Inc.**

represented by **Dean Ray Manor**  
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**Margaret Elizabeth Stone**  
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**Defendant****Local 3-495, Oil, Chemical and Atomic  
Workers International Union**

represented by **Brian P. McCafferty**  
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*LEAD ATTORNEY*  
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**Defendant****Oil, Chemical and Atomic Workers  
International Union, AFL-CIO**

represented by **Brian P. McCafferty**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Garrett M. Smith**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Gary Wheeler Kendall**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Reuben A. Guttman**

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*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Traci L. Buschner**

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(See above for address)

*ATTORNEY TO BE NOTICED***Intervenor Defendant****Local 3-495, Oil, Chemical and Atomic  
Workers International Union**represented by **Garrett M. Smith**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Gary Wheeler Kendall**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Intervenor Defendant****Oil, Chemical and Atomic Workers  
International Union, AFL-CIO**represented by **Brian P. McCafferty**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Garrett M. Smith**

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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Gary Wheeler Kendall**  
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**Reuben A. Guttman**  
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**Traci L. Buschner**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Movant**

**Fredric N. Jones**

represented by **Mark Jeffrey Beutler**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Cross Claimant**

**Alliant Techsystems, Inc.**

represented by **Margaret Elizabeth Stone**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**Local 3-495, Oil, Chemical and Atomic  
Workers International Union**

represented by **Traci L. Buschner**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Oil, Chemical and Atomic Workers  
International Union, AFL-CIO**

represented by **Traci L. Buschner**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cross Claimant**

**Alliant Techsystems, Inc.**

represented by **Dean Ray Manor**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Margaret Elizabeth Stone**

(See above for address)

**ATTORNEY TO BE NOTICED**

V.

**Cross Defendant****Local 3-495, Oil, Chemical and Atomic  
Workers International Union**represented by **Garrett M. Smith**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Gary Wheeler Kendall**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Cross Defendant****Oil, Chemical and Atomic Workers  
International Union, AFL-CIO**represented by **Traci L. Buschner**

(See above for address)

**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
02/03/1998	1	COMPLAINT 100 Day Notice due 5/14/98 for Local 3-495, Oil, Ch, for Alliant Techsystems Service due 6/3/98 for Local 3-495, Oil, Ch, for Alliant Techsystems (ssm) (Entered: 02/04/1998)
02/04/1998	2	MOTION to Intervene by Fredric N. Jones (ssm)
02/04/1998		BRIEF by Fredric N. Jones in Support of [2-1] motion to Intervene by Fredric N. Jones (ssm)
02/05/1998	3	NOTICE of Corrected Pleadings (Name of defts) by Fredric N. Jones (Corrected pleadings attached on top of originals in file - only correct versions were mailed to parties by counsel per notice) (ssm)
02/06/1998	4	ORDER granting [2-1] motion to Intervene ( signed by Judge James C. Turk ) (ssm)
02/06/1998	5	INTERVENOR'S COMPLAINT by Fredric N. Jones against Alliant Techsystems, Local 3-495 OCAW, OCAW International (ssm)
02/06/1998		SUMMONS issued for OCAW International (Returned to counsel for service) (ssm)
02/20/1998		SUMMONS(ES) issued for Alliant Techsystems, Local 3-495 OCAW, OCAW International (fne)
03/05/1998		RETURN OF SERVICE on summons & complaint as to OCAW International via Robert E. Wages, President, executed on 2/17/98 Answer due on 3/9/98 for

		OCAW International (iew)
03/23/1998	6	ANSWER to [5-1] intervenor complaint by Alliant Techsystems (iew)
03/23/1998	6	CROSSCLAIM by Alliant Techsystems against Local 3-495 OCAW, OCAW International (iew)
03/23/1998	8	DEFENDANT OCAW INTERNATIONAL'S RESPONSE TO INTERVENER'S REQUEST FOR ADMISSIONS OF FACT AND GENUINENESS by OCAW International (iew)
03/23/1998	7	UNIONS' ANSWER to [5-1] intervenor complaint by Local 3-495 OCAW & OCAW International (iew) (Entered: 03/25/1998)
03/23/1998	9	UNIONS' ANSWER TO EEOC'S COMPLAINT by Local 3-495 OCAW, OCAW International (iew) (Entered: 03/25/1998)
03/25/1998		DISCOVERY LETTER from counsel (iew)
03/26/1998	10	ANSWER to Complaint by Alliant Techsystems (Attorney Dean Ray Manor), (iew)
03/26/1998	10	CROSSCLAIM by Alliant Techsystems against Local 3-495 OCAW, OCAW International (iew)
03/26/1998		DISCOVERY LETTER from counsel (iew)
03/26/1998		DISCOVERY LETTER from counsel (iew)
04/15/1998	11	ANSWER by Local 3-495 OCAW & OCAW International to [10-1] & [6-1] Cross Claims by Alliant Techsystems (kjh)
04/22/1998	12	ORDER ent. 4/21/98 transferring case to Senior Judge Jackson L. Kiser ( signed by Judge James C. Turk ) (emh) (Entered: 04/23/1998)
05/04/1998	13	MOTION for Traci L. Buschner, Esq. to Appear Pro Hac Vice by OCAW International (emh)
05/04/1998	14	MOTION for Reuben A. Guttman, Esq. to Appear Pro Hac Vice by OCAW International (emh)
05/04/1998	15	MOTION for Brian P. McCafferty, Esq. to Appear Pro Hac Vice by OCAW International (emh)
05/11/1998		DISCOVERY LETTER from counsel (emh)
05/13/1998		APPLICATION FOR BRIAN P. MCCAFFERTY TO PRACTICE PRO HAC VICE rec'd. (emh)
05/13/1998		APPLICATION FOR TRACI L. BUSCHNER TO PRACTICE PRO HAC VICE rec'd. (emh)
05/13/1998		APPLICATION FOR REUBEN A. GUTTMAN TO PRACTICE PRO HAC VICE rec'd. (emh)
05/15/1998	16	MOTION to Compel Production Of Documents by Fredric N. Jones (emh)

05/15/1998		BRIEF by Fredric N. Jones in Support of [16-1] motion to Compel Production Of Documents by Fredric N. Jones (emh)
05/18/1998		Magistrate's Notice (emh) (Entered: 05/19/1998)
05/19/1998	17	ORDER granting [13-1] motion for Traci L. Buschner, Esq. to Appear Pro Hac Vice ( signed by Senior Judge Jackson L. Kiser ) (emh)
05/19/1998	18	ORDER granting [14-1] motion for Reuben A. Guttman, Esq. to Appear Pro Hac Vice ( signed by Senior Judge Jackson L. Kiser ) (emh)
05/19/1998	19	ORDER granting [15-1] motion for Brian P. McCafferty, Esq. to Appear Pro Hac Vice ( signed by Senior Judge Jackson L. Kiser ) (emh)
05/19/1998	20	PRETRIAL ORDER Referring Case to Magistrate Judge Glen E. Conrad for all pretrial discovery motions and issues and whatever else as set forth in Items 1-22 of Order re: trial date, status reports, jury instructions, motions, briefs, hearings, discovery, witnesses, and settlement of case ( signed by Senior Judge Jackson L. Kiser ) (emh)
05/26/1998	21	MOTION for Bruce N. Cameron to Appear Pro Hac Vice by Fredric N. Jones (emh)
05/26/1998	22	AFFIDAVIT by Fredric N. Jones Re: [21-1] motion for Bruce N. Cameron to Appear Pro Hac Vice by Fredric N. Jones (emh)
05/26/1998		MEMORANDUM by Fredric N. Jones in support of [21-1] motion for Bruce N. Cameron to Appear Pro Hac Vice by Fredric N. Jones (emh)
05/28/1998	23	STIPULATION (iew)
05/28/1998	23	ORDER, STIPULATING certain Discovery re: Produced Gentry Documents as set forth in #1 & #2 of this order ( signed by Senior Judge Jackson L. Kiser ) (iew)
05/28/1998	24	ORDER granting pltf-intervenor's [21-1] motion for Bruce N. Cameron to Appear Pro Hac Vice ( signed by Senior Judge Jackson L. Kiser ) (iew)
06/03/1998	25	OCAW INTERNATIONAL'S MEMO IN RESPONSE and MOTION for Protective Order by OCAW International (ssm)
06/12/1998	26	ORDER, Motion Hearing set for 9:30 8/24/98 for [25-1] motion for Protective Order, set for 9:30 8/24/98 for [16-1] motion to Compel Production Of Documents and for summary judgment motions in Roanoke ( signed by Senior Judge Jackson L. Kiser ) (ssm)
06/12/1998		DISCOVERY LETTER from counsel (ssm)
06/17/1998		RESPONSE by Fredric N. Jones to [8-1] discovery response by OCAW International (emh)
06/23/1998	27	MOTION to Compel Defts. Alliant Techsystems, Inc. and Local 3-495, Oil, Chemical and Atomic Workers International Union and The Oil, Chemical and Atomic workers International Union, AFL-CIO Answers to Deposition Questions by EEOC (Attorney Gerald S. Kiel, Arlene T. Shadoan) (lfc)

06/23/1998		MEMORANDUM by EEOC in support of [27-1] motion to Compel Defts. Alliant Techsystems, Inc. and Local 3-495, Oil, Chemical and Atomic Workers International Union and The Oil, Chemical and Atomic workers International Union, AFL-CIO Answers to Deposition Questions by EEOC (lfc)
07/01/1998		DISCOVERY LETTER received from Counsel (kjh)
07/13/1998	28	RESPONSE TO DISCOVERY by Alliant Techsystems Re: [27-1] motion to Compel Defts. Alliant Techsystems, Inc. and Local 3-495, Oil, Chemical and Atomic Workers International Union and The Oil, Chemical and Atomic workers International Union, AFL-CIO Answers to Deposition Questions by EEOC (ssm)
07/15/1998	29	RESPONSE, w/Attached Exhibits, by Local 3-495 OCAW & OCAW International, in Opposition to [27-1] Plaintiff's Motion to Compel Defts' Answers to Deposition Questions (kjh)
07/15/1998	30	MOTION for Leave to File Amended Answers to EEOC's Complaint & to Intervenor's Complaint , by Local 3-495 OCAW & OCAW International (kjh)
07/15/1998		MEMORANDUM, w/Attachments, in support of [30-1] Motion for Leave to File Amended Answers, by OCAW International & Local 3-495 OCAW (kjh)
07/20/1998	31	AFFIDAVIT/DECLARATION of Delores Montoya Re: Kathleen Hostetler's legal status (kjh)
07/27/1998		DISCOVERY LETTER received from Counsel (kjh)
07/27/1998	32	REPLY, w/Attachments, by The EEOC, to Defts' 7/15/98 response to [27-1] Plaintiff's Motion to Compel Answers to Deposition Questions (kjh)
07/31/1998	33	MOTION for Partial Summary Judgment by EEOC (emh)
07/31/1998		MEMORANDUM w/Exhibit List by EEOC in support of [33-1] motion for Partial Summary Judgment by EEOC (emh)
08/03/1998	34	MOTION for Summary Judgment on all issues except damages , by The EEOC (kjh)
08/03/1998		MEMORANDUM, w/5 volume appendix, in support of [34-1] Motion for Summary Judgment on all issues except damages, by The EEOC (kjh)
08/03/1998	35	DEFENDANTS' JOINT MOTION for Summary Judgment purs to Rule 56(b) (kjh)
08/03/1998		MEMORANDUM, w/Attachments, in support of [35-1] Defts' Joint Motion for Summary Judgment purs to Rule 56(b) (kjh)
08/03/1998	36	MOTION to Compel Discovery , by EEOC (kjh)
08/03/1998		BRIEF, w/Attachments, in Support of [36-1] Motion to Compel Discovery, by EEOC (kjh)
08/10/1998	37	PLAINTIFF-INTERVENOR'S NOTICE TO SUBMIT MOTION ON BRIEFS, by Fredric N. Jones (kjh)
08/14/1998		MEMORANDUM, by The EEOC, in opposition to [35-1] Defts' Motion for Summary Judgment (kjh)

08/14/1998		PLAINTIFF'S EXHIBITS IN OPPOSITION, to [35-1] Defts' Motion for Summary Judgment (kjh)
08/17/1998		MEMORANDUM, w/Attachments, by Fredric N. Jones, in opposition to [35-1] Motion for Summary Judgment purs to Rule 56(b), by OCAW International, Local 3-495 OCAW & Alliant Techsystems (kjh)
08/17/1998		DEFTS' CONSOLIDATED MEMORANDUM, w/Attachments, in opposition to [33-1] Motion for Partial Summary Judgment by The EEOC (kjh)
08/20/1998	38	MEMORANDUM IN REPLY, by The EEOC, to Defts' 8/17/98 consolidated opposition memorandum to [33-1] EEOC's Motion for Partial Summary Judgment (kjh)
08/20/1998	40	AFFIDAVIT of Steven H. Gentry Re: Fredric Jones "dues to charity" request (kjh) (Entered: 08/24/1998)
08/21/1998		DEFTS' CONSOLIDATED REPLY MEMORANDUM, w/attachments, in support of [35-1] Motion for Summary Judgment purs to Rule 56(b), by OCAW International, Local 3-495 OCAW & Alliant Techsystems (kjh) (Entered: 08/24/1998)
08/21/1998	39	REPLY MEMORANDUM, w/attachments, by Fredric N. Jones, to the 8/17/98 Defts' consolidated opposition memorandum to [33-1] Plaintiff's Motion for Partial Summary Judgment (kjh) (Entered: 08/24/1998)
08/24/1998		COURT HEARING: Parties present by Counsel for [35-1] Defts' Motion for Summary Judgment & for [34-1] & [33-1] Plaintiff's Motions for Summary Judgment. Arguments presented. Court takes motions under advisement; Order forthcoming (Judge Jackson L. Kiser, OCR Barbara Taylor) (kjh)
08/24/1998	41	DEFTS' CONSOLIDATED REPLY MEMORANDUM, w/attachments, in support of [35-1] motion for Summary Judgment purs to Rule 56(b) (kjh)
08/24/1998	42	ORDER: Granting in part & Denying in part [16-1] Plaintiff's Motion to Compel. Defts' are directed to provide Mr Gentry's medical records/prescriptions as stated in Order (signed by USMJ Glen E. Conrad) (kjh)
09/18/1998	43	MEMORANDUM OPINION ( signed by Senior Judge Jackson L. Kiser ) (emh)
09/18/1998	44	ORDER denying [35-1] motion for Summary Judgment purs to Rule 56(b), granting [34-1] motion for Summary Judgment on all issues except damages, granting [33-1] motion for Partial Summary Judgment ( signed by Senior Judge Jackson L. Kiser ) (emh)
10/28/1998	45	MOTION to Certify Court's order of 9/18/98 for interlocutory appeal & to Stay further proceedings , by Alliant Techsystems, Local 3-495 OCAW & OCAW International (kjh)
10/28/1998	46	MEMORANDUM in support of [45-1] Motion to Certify Court's order of 9/18/98 for interlocutory appeal & [45-2] Motion to Stay further proceedings, by OCAW International, Local 3-495 OCAW & Alliant Techsystems (kjh)
10/28/1998	47	GENERAL OBJECTIONS TO DAMAGES RECOVERY, by Alliant Techsystems, Local 3-495 OCAW & OCAW International (kjh)

11/05/1998	48	MOTION to Compel Discovery , by Fredric N. Jones (kjh)
11/05/1998	49	BRIEF, w/Attachments, in Support of [48-1] Motion to Compel Discovery, by Fredric N. Jones (kjh)
11/05/1998		CERTIFICATE OF RULE 37(a)(2) COMPLIANCE, by Frederick Jones (kjh)
11/05/1998	50	RESPONSE, by Fredric N. Jones, in Opposition to [45-1] Defts' Motion to Certify Court's order of 9/18/98 for interlocutory appeal & in opposition to [45-2] Defts' Motion to Stay further proceedings (kjh)
11/09/1998	51	MEMORANDUM by EEOC in opposition to [45-1] motion to Certify Court's order of 9/18/98 for interlocutory appeal by OCAW International, Local 3-495 OCAW, Alliant Techsystems, and [45-2] motion to Stay further proceedings by OCAW International, Local 3-495 OCAW, Alliant Techsystems (emh) (Entered: 11/10/1998)
11/10/1998		Deadline updated; Set Jury Trial for 9:30 3/8/99. Trial is expected to last 2 days (sig)
12/04/1998	52	MEMORANDUM OPINION (signed by Judge Jackson L. Kiser) (kjh)
12/04/1998	53	ORDER: Denying [45-1] Defts' Motion to Certify Court's order of 9/18/98 for interlocutory appeal & Denying [45-2] Motion to Stay further proceedings (signed by Judge Jackson L. Kiser) (kjh)
12/11/1998		LETTER from defts. advising Court Motion to Certify Order for Interlocutory Appeal, etc. is submitted only on briefs; oral argument not requested (emh)
01/25/1999		LETTER STATUS REPORT submitted, by Fredric N. Jones (kjh)
01/26/1999		LETTER STATUS REPORT submitted, by The EEOC (kjh)
01/29/1999		LETTER STATUS REPORT, by The EEOC (kjh)
03/02/1999	54	STIPULATION OF MONETARY & OTHER RELIEF (agreed) (kjh)
03/09/1999	55	JUDGMENT for Fredric N. Jones against Local 3-495 OCAW, Alliant Techsystems, OCAW International in the amount of \$ 20,000 jointly and severally JL&D p288, line 15 and whatever else is set forth in the order ( signed by Senior Judge Jackson L. Kiser ) (lmh)
03/09/1999		Case closed (lmh)
03/16/1999	56	NOTICE OF APPEAL by Alliant Techsystems. FILING FEE \$105.00; RECEIPT # 91772; Order appealed: 3/9/99 Order by Judge Jackson L. Kiser) (emh)
03/16/1999	57	NOTICE OF APPEAL by Local 3-495 OCAW, OCAW International. FILING FEE \$ 105.00; RECEIPT # 91773; Order appealed: 3/9/99 Order by Judge Jackson L. Kiser) (emh)
03/16/1999		Transmittal Letter w/ Notice of Appeal and certified copy of docket to USCA: [57-1] appeal by OCAW International, Local 3-495 OCAW, [56-1] appeal by Alliant Techsystems (emh)
03/19/1999	58	ORDER DIRECTING Appellants to Post Cost Bond, with Proper Surety, in Penal Amount of \$ 500.00 within Ten Days ( signed by Senior Judge Jackson L.

		Kiser ) (emh)
03/25/1999		APPEAL BOND (\$ 500.00) by Alliant Techsystems (emh)
03/26/1999		NOTICE of Docketing ROA from USCA Re: [56-1] appeal by Alliant Techsystems USCA Number: 99-1375 (consolidated w/99-1377) Docket Clerk Sharon A. Wiley (emh)
03/26/1999		NOTICE of Docketing ROA from USCA Re: [57-1] appeal by OCAW International, Local 3-495 OCAW USCA Number: 99-1377 (consolidated w/99-1375 Docket Clerk Sharon A. Wiley (emh)
03/26/1999		Transcript requested [56-1] appeal by Alliant Techsystems for dates of August 24, 1998 (jcj) (Entered: 03/29/1999)
03/29/1999		APPEAL BOND (\$ 500.00) by Local 3-495 OCAW (emh)
03/29/1999		Transcript requested [57-1] appeal by OCAW International, Local 3-495 OCAW for dates of August 24, 1998 (emh)
04/06/1999		Transcript requested for dates of August 24, 1998 by Frederic Jones (emh)
05/21/1999	59	TRANSCRIPT [57-1] appeal by OCAW International, Local 3-495 OCAW, [56-1] appeal by Alliant Techsystems for dates of August 24, 1999 (OCR Barbara Taylor) (emh)
05/24/1999		CERTIFICATE TO FOURTH CIRCUIT BY CLERK (emh)
05/28/1999		ACKNOWLEDGMENT LETTER from USCA as to transmission of certificate and updated docket sheet (emh)
08/20/1999		JUDGMENT OF USCA (certified copy) dismissing [56-1] appeal by Alliant Techsystems upon appellant's consent motion to dismiss (lmh)
12/02/1999	60	ORDER, Directing the Clerk to return the \$500.00 appeal bond to the firm of Mitchie, Hamlett, Lowry, Rasmussen & Twell (signed by Senior Judge Jackson L. Kiser) [EOD Date 12/2/99] (kjh)
12/02/1999	61	ORDER, Directing the Clerk to return the \$500.00 appeal bond to Alliant Techsystems Inc (signed by Senior Judge Jackson L. Kiser) [EOD Date 12/2/99] (kjh)

## PACER Service Center

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<b>Billable Pages:</b>	6	<b>Cost:</b>	0.48