

CLOSED, LEAD, MAG

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:03-cv-00090-AJS-RCM**

GREGGS v. CHARAPP FORD SOUTH

Assigned to: Judge Arthur J. Schwab

Referred to: Robert C. Mitchell

Demand: \$0

Case in other court: Consolidated, 2:03-cv-00171

Consolidated, 2:03-cv-00194

Consolidated, 2:03-cv-00195

Consolidated, 2:03-cv-00435

Cause: 42:2000 Job Discrimination (Race)

Date Filed: 01/21/2003

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: Federal Question

Plaintiff**LOUIS GREGGS, JR.***TERMINATED: 10/17/2003*represented by **James A. Ashton**

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(412) 466-7301

Email:

JASHTON@SOUTHWESTERNHEALTHCARE.COM

*TERMINATED: 10/17/2003**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

V.

Consol Plaintiff**EQUAL EMPLOYMENT****OPPORTUNITY****COMMISSION***TERMINATED: 11/13/2003*represented by **M. Jean Clickner**

Equal Employment Opportunity Commission

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*TERMINATED: 11/13/2003**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Consol Plaintiff****MIKE MITCHELL***TERMINATED: 10/06/2003*represented by **James A. Ashton**

(See above for address)

TERMINATED: 10/06/2003
LEAD ATTORNEY
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Consol Plaintiff

TROY MILES

TERMINATED: 10/06/2003

represented by **James A. Ashton**
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Consol Plaintiff

CUTRIS JONES

TERMINATED: 10/10/2003

represented by **James A. Ashton**
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TERMINATED: 10/10/2003
LEAD ATTORNEY
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V.

Defendant

**CHARAPP FORD
SOUTH, INC.**

TERMINATED: 11/13/2003

represented by **Arthur J. Murphy, Jr.**
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Date Filed	#	Docket Text
01/21/2003	1	COMPLAINT with summons issued; jury demand Filing Fee \$ 150.00 Receipt # 03001966 (tt) (Entered: 01/21/2003)
01/29/2003	2	Notice of mailing summons and complaint by LOUIS GREGGS JR. to CHARAPP FORD SOUTH on 1/22/03 (tt) (Entered: 01/29/2003)
01/29/2003	3	ORDER REFERRING CASE to Mag. Judge Robert C. Mitchell (signed by Mag. Judge Robert C. Mitchell on 1/29/03) CM all parties of record. (tt) (Entered: 01/29/2003)
02/03/2003	4	NOTICE of Attorney Appearance for CHARAPP FORD SOUTH by Arthur J. Murphy Jr., Donald G. Lucidi (tt) (Entered: 02/03/2003)
02/19/2003	5	Status/Discovery Conference set for 1:30 3/20/03 (tt) (Entered: 02/19/2003)
02/21/2003	6	WAIVER OF SERVICE Returned Executed as to CHARAPP FORD SOUTH on 1/22/03 Answer due on 3/23/03 for CHARAPP FORD SOUTH (tt) (Entered: 02/21/2003)
03/18/2003	7	MOTION by CHARAPP FORD SOUTH to continue Status/Discovery Conference , with Proposed Order. (tt) (Entered: 03/18/2003)
03/19/2003		ORDER upon motion denying [7-1] motion to continue Status/Discovery Conference (signed by Mag. Judge Robert C. Mitchell on 3/19/03) CM all parties of record. (tt) (Entered: 03/19/2003)
03/20/2003	8	Status Conference held 3/20/03 before Mag. Judge Robert C. Mitchell [Reporter: none] (tt) (Entered: 03/21/2003)
03/20/2003		Deadline updated; set Pretrial Order Deadlines: Discovery cutoff on 7/31/03 ; Pretrial Statements for Plaintiffs due 8/15/03 ; Pretrial Statements for Defendants due 8/31/03 ; Status Conference set for 9:30

		6/24/03 ; Rule 26 disclosures to be filed by 4/3/03 . (tt) (Entered: 03/21/2003)
03/21/2003	9	MOTION by CHARAPP FORD SOUTH to Dismiss , with Proposed Order. (tt) (Entered: 03/21/2003)
03/24/2003	10	ORDER, deft's Brief in Support set to 4/4/03 for [9-1] motion to Dismiss , and pltf's Response to Motion set to 4/24/03 for [9-1] motion to Dismiss . (signed by Mag. Judge Robert C. Mitchell on 3/24/03) CM all parties of record. (tt) (Entered: 03/24/2003)
03/24/2003	11	BRIEF by CHARAPP FORD SOUTH in support of [9-1] motion to Dismiss by CHARAPP FORD SOUTH (tt) (Entered: 03/25/2003)
04/08/2003	12	RESPONSE by LOUIS GREGGS JR. to [9-1] motion to Dismiss by CHARAPP FORD SOUTH (tt) (Entered: 04/08/2003)
04/08/2003	13	MOTION by LOUIS GREGGS JR. to Amend [1-1] complaint with Proposed Order. (tt) (Entered: 04/08/2003)
04/14/2003		ORDER upon motion granting pltf's [13-1] motion to Amend [1-1] complaint. Deft's [9-1] motion to Dismiss is dismissed as moot. Amended Complaint to be filed by 4/18/03 ; set Answer deadline to 4/28/03 for CHARAPP FORD SOUTH . If motion is filed, pltf's response will be due by 5/18/03. (signed by Judge Arthur Schwab on 4/14/03) CM all parties of record. (tt) (Entered: 04/14/2003)
04/16/2003	14	AMENDED COMPLAINT by LOUIS GREGGS JR. (Answer due 4/28/03 for CHARAPP FORD SOUTH) amending [1-1] complaint (tt) (Entered: 04/16/2003)
04/24/2003	15	ANSWER and Affirmative Defenses by CHARAPP FORD SOUTH to amended complaint (tt) (Entered: 04/24/2003)
05/12/2003	16	NOTICE of Attorney Appearance for CHARAPP FORD SOUTH by Scott E. Becker (tt) (Entered: 05/12/2003)
05/12/2003	17	MOTION by CHARAPP FORD SOUTH for Elizabeth F. Walker to Appear Pro Hac Vice ; Filing Fee \$ 40.00 Receipt # 03003884 , with Proposed Order. (tt) (Entered: 05/12/2003)
05/16/2003	18	MOTION for Arthur J. Murphy, Jr. and Donald G. Lucidi to Withdraw as Attorney for deft , with Proposed Order. (tt) (Entered: 05/16/2003)
05/19/2003		ORDER upon motion granting [18-1] motion for Arthur J. Murphy, Jr. and Donald G. Lucidi to Withdraw as Attorney for deft ; Terminated attorney Arthur J. Murphy for CHARAPP FORD SOUTH, attorney Donald G. Lucidi for CHARAPP FORD SOUTH. (signed by Mag. Judge Robert C. Mitchell on 5/19/03) CM all parties of record. (tt) (Entered: 05/20/2003)
05/23/2003	19	NOTICE of Attorney Appearance for CHARAPP FORD SOUTH by Elizabeth F. Walker (tt) (Entered: 05/23/2003)
06/11/2003	20	MOTION by CHARAPP FORD SOUTH to continue Status Conference ,

		with Proposed Order. (tt) (Entered: 06/12/2003)
06/12/2003		ORDER upon motion granting [20-1] motion to continue Status Conference; reset Status Conference for 9:30 6/30/03 . (signed by Mag. Judge Robert C. Mitchell on 6/12/03) CM all parties of record. (tt) (Entered: 06/12/2003)
06/17/2003		ORDER upon motion granting [17-1] motion for Elizabeth F. Walker to Appear Pro Hac Vice on behalf of deft. (signed by Judge Arthur J. Schwab on 6/16/03) CM all parties of record. (tt) (Entered: 06/17/2003)
06/27/2003	21	MOTION by LOUIS GREGGS JR. to Compel answers to second set of requests for production of documents directed to deft , with Proposed Order. (tt) (Entered: 06/27/2003)
06/30/2003	22	Status Conference held 6/30/03 before Mag. Judge Robert C. Mitchell [Reporter: none] (tt) (Entered: 07/01/2003)
06/30/2003		Deadline updated; Pltf's [21-1] motion to Compel is dismissed without prejudice ; reset Pretrial Order Deadlines: Discovery cutoff on 8/31/03 ; Motions for Summary Judgment and Briefs (not to exceed 15 pages) due 9/30/03 ; Responses to Summary Judgment Motions (not to exceed 15 pages) due 10/30/03 ; No Reply briefs . (tt) (Entered: 07/01/2003)
07/30/2003	23	Stipulation by LOUIS GREGGS JR., CHARAPP FORD SOUTH for Protective Order regarding the Exchange of Confidential and Proprietary Information with proposed order. (plh) (Entered: 08/01/2003)
08/06/2003		ORDER upon stipulation approving [23-1] Stipulation and Protective Order regarding the Exchange of Confidential and Proprietary Information. (signed by Mag. Judge Robert C. Mitchell on 8/5/03) CM all parties of record. (tt) (Entered: 08/06/2003)
09/17/2003	24	PRETRIAL ORDER setting Jury Selection and Trial set for 9:30 1/26/04 ; Plaintiff's Witness List and Offers of proof due 12/22/03 ; Deft's witness list and offers of proof due 12/29/03 ; Designation of discovery excerpts to be offered at trial due by 1/5/04 ; Motions in Limine due 1/5/04 ; Responses to Motions in Limine due 1/9/04 ; Proposed Jury Instructions due 1/9/04 ; Proposed Dire due 1/9/04 ; Joint Stipulations due 1/9/04 ; Final Pretrial Conference set for 8:00 1/16/04. (signed by Judge Arthur J. Schwab on 9/17/03) CM all parties of record. (tt) (Entered: 09/18/2003)
09/18/2003	25	Settlement Conference set for 9:30 11/24/03 (tt) (Entered: 09/18/2003)
09/19/2003	26	ORDER that Civil Action Nos. 03-171, 03-194, 03-195 & 03-435 are consolidated with 2:03-cv-90, the lead case. All pleadings, motions and other papers hereafter filed shall be filed at the lead case. The Clerk shall mark Civil Action Nos. 03-171, 03-194, 03-195 & 03-435 Closed. (signed by Judge Arthur J. Schwab on 9/18/03) CM all parties of record. (tt) (Entered: 09/23/2003)
09/19/2003		Consolidated Lead Case (tt) (Entered: 09/23/2003)

10/09/2003	27	Status Conference held 10/9/03 before Mag. Judge Robert C. Mitchell [Reporter: none] ; The deposition of Cheryl Marshall is on hold pending the conference of 10/14/03 at 2:00. (tt) (Entered: 10/10/2003)
10/09/2003		Deadline updated; set Conference for 2:00 10/14/03 (tt) (Entered: 10/10/2003)
10/10/2003	28	Acceptance of offer by pltf. (ksa) (Entered: 10/14/2003)
10/15/2003	29	NOTICE of Offer of Judgment and Acceptance thereto by LOUIS GREGGS JR. (tt) (Entered: 10/17/2003)
10/15/2003	30	Status Conference held 10/15/03 before Mag. Judge Robert C. Mitchell [Reporter: none] ; A settlement conference on attorney fees is set for 10:30 10/20/03 (Attorney Ashton is to immediately fax his schedule to attorney Walker). (tt) (Entered: 10/17/2003)
10/15/2003		Deadline updated; set Settlement Conference on Attorney Fees for 10:30 10/20/03 (tt) (Entered: 10/17/2003)
10/17/2003		CLERK'S ENTRY OF JUDGMENT in favor of LOUIS GREGGS JR. and against CHARAPP FORD SOUTH in the sum of \$30,000.00 plus reasonable attorneys fees and costs. (tt) (Entered: 10/17/2003)
10/20/2003	31	Settlement Conference held 10/20/03 before Mag. Judge Robert C. Mitchell [Reporter: none] (tt) (Entered: 10/21/2003)
10/20/2003		Deadline updated; Amended Petition for counsel fees to be submitted by 10/24/03 ; Response to the amended petition is due by 11/3/03 ; set Counsel Fees Hearing for 9:30 11/19/03 ; set Settlement Conference for 9:30 10/24/03 . (tt) (Entered: 10/21/2003)
10/24/2003	32	Settlement Conference held 10/24/03 before Mag. Judge Robert C. Mitchell [Reporter: none] ; Consent Decree to be filed by 11/15/03. The case is settled per agreement. (tt) (Entered: 10/24/2003)
10/28/2003	33	ORDER, that it appearing to the court that the parties have agreed to an amicable resolution of this matter, the Clerk shall remove this case from the docket for administrative purposes . In the event that either party fails to execute the settlement agreement by 11/15/03, the case shall be reinstated to the docket upon written request of any party. The Court shall retain jurisdiction to enforce the settlement agreement. (signed by Judge Arthur J. Schwab on 10/27/03) CM all parties of record. (tt) (Entered: 10/28/2003)
10/28/2003		Case closed (tt) (Entered: 10/28/2003)
11/13/2003	34	MOTION by LOUIS GREGGS JR. to Satisfy Judgment , with Proposed Order. (tt) (Entered: 11/13/2003)
11/13/2003	35	CONSENT DECREE by EQUAL EMPLOYMENT, CHARAPP FORD SOUTH with proposed order. (tt) (Entered: 11/17/2003)
11/13/2003		ORDER upon consent approving [35-1] Consent Decree between pltf, EEOC and deft, Charapp Ford South. This Decree shall not constitute an

		adjudication or finding on the merits of the case and shall not be construed as an admission of liability by Charapp Ford South. Charapp Ford South, Inc. agrees to pay Louis Greggs the amount of \$30,000.00, Michael Mitchell the amount of \$40,000.00, Troy Miles the amount of \$40,000.00, and Curtis Jones the amount of \$25,000.00 in full settlement of the claims against deft which were raised in the EEOC's Complaint, and with additional terms of Settlement as stated more fully in said Consent Decree. Each party shall bear its own court costs and attorneys fees. The decree shall take effect upon the Court's execution and shall remain in effect for 18 months from the date of entry. The Decree in no way affects the Commission's right to process any pending or future charges against Charapp Ford South. (signed by Judge Arthur J. Schwab on 11/12/03) CM all parties of record. (tt) Modified on 11/17/2003 (Entered: 11/17/2003)
11/14/2003		ORDER upon motion granting [34-1] motion to Satisfy Judgment. The judgment entered in this case as to Louis Greggs is satisfied on full. (signed by Judge Arthur J. Schwab on 11/14/03) CM all parties of record. (tt) (Entered: 11/17/2003)

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