

1. EEOC Case ID#: EE-PA-0038

2. Docket number/Court of each of the related or consolidated cases: 03-CV-00171, 03-CV-00090, 03-CV-00194, 03-CV-00195, 03-CV-00435 (Western District of Pennsylvania)

3. Related or consolidated? Consolidated

4. Docket entry # (or other location) where consolidation or relation appears:
Docket entry #22 in 03-00090, docket entry #26 in 03-CV-00090, docket entry #21 in 03-00194, docket entry #21 in 00-195, and docket entry #11 in 03-00435.

5. Date of consolidation/relation? Consolidation order was signed on 9/18/2003, though the docket entry is dated 9/19/2003 in 03-00090 and 9/23/2003 in the rest of the cases.

6. Terms of the consolidation (e.g. “consolidated for purposes of discovery only, trial to be in front of original judge” or “consolidated for purposes of discovery; decision on trial consolidation to be made later”): 03-00090 is the lead case; “all pleadings, motions and other papers hereafter filed shall be filed at the lead case.” The Clerk was instructed to mark the other four cases closed.

7. For each case, who are the parties (include charging parties if EEOC is plaintiff) and what is the basic theory of the case? (e.g. sexual harassment, age discrimination)
03-00171: Plaintiff is EEOC; defendant is Charapp Ford South, Inc.; theory—racial discrimination.

03-00090: Plaintiff is Louis Greggs, Jr.; consol plaintiffs are EEOC, Mike Mitchell, Troy Miles, and Curtis Jones; defendant is Charapp Ford South, Inc.; theory—racial discrimination.

03-00194: Plaintiff is Mike Mitchell; defendant is Charapp Ford South, Inc.; theory—racial discrimination.

03-00195: Plaintiff is Troy Miles; defendant is Charapp Ford South, Inc.; theory—racial discrimination.

03-00435: Plaintiff is Curtis Jones; defendant is Charapp Ford South, Inc.; theory—racial discrimination.

(Note about the theories: 03-00171 and 03-00090 both mentioned racial discrimination in the “Cause” line of the docket headings; additionally the available EEOC summary of the case indicates that this was a major race discrimination case against Charapp Ford South, Inc. due to race related harassment of employees, so it seemed appropriate to list that as the theory for all the cases.)

8. Briefly describe the procedural history of each case prior to their being related or consolidated.

03-00171 was filed by EEOC on 2/6/2003; other than status conferences and discovery, nothing significant happened prior to consolidation.

03-00090 was filed by private plaintiff Greggs on 1/21/2003; there were status conferences and discovery, as well as a motion to dismiss that was denied, prior to consolidation.

03-00194 was filed by private plaintiff Mitchell on 2/10/2003; other than status conferences and discovery, nothing significant happened at prior to consolidation.

03-00195 was filed by private plaintiff Miles on 2/10/2003; there was discovery and a motion to dismiss that was denied prior to consolidation.

03-00435 was filed by private plaintiff Jones on 3/28/2003; other than some discovery, nothing significant happened prior to consolidation.

9. After the cases were related/consolidated, what happened? was one case designated the lead case and all subsequent activity appears on that case docket? do both dockets contain lots of subsequent entries and if so, are they mostly or entirely duplicative, or do they indicate different types of activities in the two cases? 03-00090 was designated the lead case and it has some activity following consolidation. 03-00171 has no activity after consolidation. The other three member cases all have a small amount of activity after consolidation; some of it is different from that in the lead case 03-00090, while some of the activity in these member cases after consolidation is similar to the activity in the lead case differing with regard to the relevant private plaintiff.