

CLOSED,PROTOR

**U.S. District Court
Western District of Kentucky (Bowling Green)
CIVIL DOCKET FOR CASE #: 1:89-cv-00141-JGH-CCG**

Tucker, et al v. Union Underwear Co., et al
Assigned to: Chief Judge John G. Heyburn, II
Referred to: Magistrate Judge C. Cleveland Gambill
Demand: \$150,000
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 11/09/1990
Date Terminated: 06/21/1995
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Donna Tucker

represented by **Larry F. Sword**
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Plaintiff

Brenda Sutton

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Plaintiff

Debby Marlene Catron

represented by **Larry F. Sword**
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Robert L. Bertram
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V.

Defendant

Union Underwear Company, Inc.
also known as

represented by **Norman E. Harned**
Harned, Bachert & McGehee, PSC

Fruit of the Loom, Inc.

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| Date Filed | # | Docket Text |
|------------|----|--|
| 11/09/1989 | 1 | COMPLAINT (Summons(es) issued) filing fee pd – receipt # 27473 (CSD) (Entered: 01/13/1993) |
| 01/19/1990 | 3 | AMENDED COMPLAINT [1-1] by plaintiff Donna Tucker (CSD) (Entered: 01/13/1993) |
| 06/21/1990 | 13 | ANSWER by defendant Union Underwear Co. to [3-1], to [1-1] (CSD) (Entered: 01/13/1993) |
| 12/21/1990 | 20 | SCHEDULING ORDER Mag Judge Maxey B. Harlin III ; Discovery to be compl by 6/20/92 ; Amendments by 6/22/92 ; Dispositive mtn ddl by 6/22/92 (cc: all counsel) (CSD) (Entered: 01/13/1993) |
| 01/22/1991 | 22 | MOTION by plaintiff Donna Tucker to certify class action ; Memorandum in Support; order tendered (CSD) (Entered: 01/13/1993) |
| 11/04/1992 | | BEGIN VOLUME # II with docket #54 (DIM) (Entered: 06/16/1995) |
| 11/04/1992 | 56 | ORDER by Judge John G. Heyburn II granting motion to certify class action [22-1] (cc: all counsel) (CSD) (Entered: 01/13/1993) |
| 11/19/1992 | 57 | MOTION by defendant Union Underwear Co. to alter, vacate or amend order of 11/4/92 (CSD) (Entered: 01/13/1993) |
| 11/19/1992 | 58 | MEMORANDUM by defendant Union Underwear Co. in support of motion to alter, vacate or amend order of 11/4/92 [57-1] (CSD) (Entered: 01/13/1993) |
| 12/07/1992 | 59 | RESPONSE by plaintiff Donna Tucker to motion to alter, vacate or amend order of 11/4/92 [57-1] (CSD) (Entered: 01/13/1993) |
| 12/18/1992 | 60 | REPLY by defendant to pla's response to motion to alter, vacate or amend order of 11/4/92 [57-1] (DIM) (Entered: 02/09/1993) |
| 01/08/1993 | 61 | MOTION by defendant for summary judgment ; order tendered (DIM) (Entered: 02/09/1993) |
| 01/08/1993 | 62 | MEMORANDUM by defendant in support of motion for summary judgment [61-1] (DIM) (Entered: 02/09/1993) |
| 01/25/1993 | 63 | MOTION by plaintiff for summary judgment ; order tendered (DIM) (Entered: 02/09/1993) |
| 01/25/1993 | 64 | MEMORANDUM by plaintiff in support of motion for summary judgment [63-1] (DIM) (Entered: 02/09/1993) |

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| 02/04/1993 | 65 | MOTION by defendant for extension of time to respond to pla's mo for sum jgm. ; o/tend. order tendered (DIM) (Entered: 02/09/1993) |
| 02/12/1993 | | FILE SUBMITTED to JGH (FCE) (Entered: 02/17/1993) |
| 02/19/1993 | 66 | ORDER by Judge John G. Heyburn II granting motion for extension of time to respond to pla's mo for sum jgm. to and including 2/22/93 [65-1] (cc: all counsel) (DIM) (Entered: 02/22/1993) |
| 02/22/1993 | 67 | REPLY by defendant to response to dft's motion for summary judgment [61-1], Response in Opposition to pla's motion for summary judgment [63-1] (DIM) (Entered: 02/23/1993) |
| 03/05/1993 | 68 | REPLY by plaintiff to response to motion for summary judgment [63-1] (DIM) (Entered: 03/05/1993) |
| 06/08/1993 | 69 | ORDER by Judge John G. Heyburn II ; a telephonic pretrial conference is set for 7/13/93 at 9:30 a.m. prevailing Louisville time. Usual pt compliances apply (cc: all counsel) (DIM) (Entered: 06/08/1993) |
| 07/06/1993 | 70 | MOTION of Brenda Sutton and Debby Marlene Catron for order allowing them to Intervene as Additional named Representatives of the Class ; order tendered (DIM) (Entered: 07/09/1993) |
| 07/08/1993 | 71 | MOTION by defendant for a pretrial conference ; order tendered (DIM) (Entered: 07/09/1993) |
| 07/09/1993 | 72 | MOTION by defendant to limit communication between pla's counsel and certain class members ; Memorandum in Support; order tendered (DIM) (Entered: 07/09/1993) |
| 07/12/1993 | 73 | MOTION by plaintiff Donna Tucker to compel discovery ; Memorandum in Support; order tendered (DIM) (Entered: 07/16/1993) |
| 07/16/1993 | 74 | ORDER by Judge John G. Heyburn II finding the motion for a pretrial conference [71-1] moot., held in abeyance on the motion for order allowing them to Intervene as Additional named Representatives of the Class [70-1], denying motion for summary judgment [63-1], denying motion for summary judgment [61-1], denying motion to alter, vacate or amend order of 11/4/92 [57-1] Case referred – to William F. Dolson, 3103 Springcrest Drive, Louisville, Kentucky 40241 as Mediator. (cc: all counsel) (FCE) (Entered: 07/16/1993) |
| 07/19/1993 | 75 | MOTION by plaintiff Donna Tucker for order prohibiting deft. from extracting releases from class members , and for order declaring void any purported releases obtained by deft. as prerequisite to settlement of individual class members workers comp. claims , and for order prohibiting deft and deft attorneys from communicating w/class members , and for order requiring defts. to pay for notice to class members ; Memorandum in Support; exhibit attached; order tendered (FCE) (Entered: 07/21/1993) |
| 07/22/1993 | 76 | RESPONSE by plaintiff to motion to limit communication between pla's counsel and certain class members [72-1] ; (DIM) (Entered: 07/22/1993) |
| 08/03/1993 | 77 | RESPONSE by defendant to motion for order prohibiting deft. from extracting releases from class members [75-1] ; order tendered (DIM) (Entered: 08/03/1993) |
| 08/03/1993 | 78 | RESPONSE by defendant to motion for order requiring defts. to pay for notice to class members [75-4] ; order tendered (DIM) (Entered: 08/03/1993) |
| 08/03/1993 | 79 | MOTION by defendant to strike pla s motions tendered 7/16/93 ; order tendered (DIM) (Entered: 08/03/1993) |
| 08/03/1993 | 80 | RESPONSE by defendant to motion for order prohibiting deft and deft attorneys from communicating w/class members [75-3] ; order tendered (DIM) (Entered: 08/03/1993) |
| 08/03/1993 | 81 | REPLY by defendant to response to motion for order prohibiting deft and deft attorneys from communicating w/class members [75-3] (DIM) (Entered: 08/03/1993) |

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| 08/23/1993 | 82 | ORDER by Judge John G. Heyburn II re [75-1] that motion for payment for notice to class members and all related issues are held in abeyance pending the mediation between the parties (cc: all counsel) (DIM) (Entered: 08/23/1993) |
| 08/23/1993 | 83 | ORDER by Judge John G. Heyburn II denying motion for order prohibiting deft and deft attorneys from communicating w/class members [75-3] (cc: all counsel) (DIM) (Entered: 08/23/1993) |
| 08/23/1993 | | REMARK – pleadings #82 and #83 returned to Louisville to be put in file (DIM) (Entered: 08/23/1993) |
| 08/31/1993 | 84 | ORDER by Judge John G. Heyburn II denying as moot the motion for order prohibiting deft. from extracting releases from class members [75-1], denying motion for order declaring void any purported releases obtained by deft. as prerequisite to settlement of individual class members workers comp. claims [75-2], denying motion for order prohibiting deft and deft attorneys from communicating w/class members [75-3] (cc: all counsel) (DIM) (Entered: 08/31/1993) |
| 10/29/1993 | 85 | MEMORANDUM REGARDING SETTLEMENT PROPOSAL FILED by plaintiff Donna Tucker (DIM) (Entered: 11/01/1993) |
| 11/02/1993 | | REMARK – Pleading #85 forwarded to JGH (DIM) (Entered: 11/02/1993) |
| 03/24/1994 | 86 | ORDER by Judge John G. Heyburn II finding the motion for order allowing them to Intervene as Additional named Representatives of the Class [70-1] moot., finding the motion to compel discovery [73-1] moot., finding the motion for order requiring defts. to pay for notice to class members [75-4] moot. The parties may resubmit any such motions for the Ct's consideration by notice to the Court. (cc: all counsel) (DIM) (Entered: 03/24/1994) |
| 03/25/1994 | | REMARK– Dkt #86 forwarded to JGH to go in file. (MLL) (Entered: 03/25/1994) |
| 07/12/1994 | | FILE/DOCUMENT RETURNED to BG (FCE) (Entered: 07/12/1994) |
| 08/09/1994 | 87 | ORDER by Judge John G. Heyburn II; settlement conf and pretrial conf set for 9:00 a.m. in Bowling Green 10/24/94 (cc: all counsel) (DIM) (Entered: 08/09/1994) |
| 08/15/1994 | 88 | MOTION by plaintiff for order resheduling pre-trial conference ; order tendered (DIM) (Entered: 08/15/1994) |
| 08/18/1994 | 89 | RESPONSE by defendant Union Underwear Co. to motion for order resheduling pre-trial conference [88-1] ; order tendered (MLL) (Entered: 08/19/1994) |
| 08/19/1994 | | DOCKET ADJUSTMENT (Utility) finding the motion for order resheduling pre-trial conference [88-1] moot date is no longer a conflict.. (FCE) (Entered: 08/19/1994) |
| 08/23/1994 | | FILE/DOCUMENT SUBMITTED to JGH (DIM) (Entered: 08/30/1994) |
| 08/24/1994 | 90 | MOTION by plaintiff Donna Tucker to withdraw motion to reschedule pre-trial conf ; Memorandum in Support; order tendered (MLL) (Entered: 08/25/1994) |
| 09/02/1994 | | DOCUMENT No. 90 SUBMITTED to Trayce (DIM) (Entered: 09/02/1994) |
| 09/07/1994 | 91 | ORDER by Judge John G. Heyburn II re [87-1]; dft shall have present at the settlement conference set on 10/24/94 executives of the company who have full authority to resolve the issues presented by this case. (cc: all counsel) (DIM) (Entered: 09/07/1994) |
| 09/13/1994 | | DOCKET ADJUSTMENT (Utility) granting motion to withdraw motion to reschedule pre-trial conf [90-1] (FCE) (Entered: 09/13/1994) |
| 10/03/1994 | 92 | ORDER by Judge John G. Heyburn II ; settlement conf set for 1:00 10/21/94 , in Louisville, Kentucky, prevailing Louisville time ; before Judge John G. Heyburn II (cc: all counsel) (FCE) (Entered: 10/03/1994) |
| 10/04/1994 | | FILE/DOCUMENT SUBMITTED to JGH (MLL) (Entered: 10/04/1994) |

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| 11/03/1994 | | FILE RETURNED to BG Clerk. (FCE) (Entered: 11/03/1994) |
| 11/03/1994 | 93 | ORDER by Judge John G. Heyburn II: A ptc was held on 10/21/94; the parties concluded an agreement which will resolve case; parties shall advise Ct as soon as a final settlement agreement is concluded for approval thereof and any other matters necessary to resolve case. (cc: all counsel) (DIM) (Entered: 11/08/1994) |
| 11/14/1994 | 94 | MOTION by plaintiff Donna Tucker to set aside order [74-2] ; order tendered (DIM) (Entered: 11/15/1994) |
| 11/22/1994 | 95 | MOTION by plaintiff and defendant for order for approval of agreement of settling class action ; Agreement and order tendered (DIM) (Entered: 11/22/1994) |
| 11/22/1994 | | FILE/DOCUMENT SUBMITTED to JGH (MLL) (Entered: 11/22/1994) |
| 12/06/1994 | 96 | RESPONSE by defendant to motion to set aside order [74-2] [94-1] ; order tendered (DIM) (Entered: 12/07/1994) |
| 12/06/1994 | 97 | RESPONSE by defendant to motion for order for approval of agreement of settling class action [95-1]; (DIM) (Entered: 12/07/1994) |
| 12/07/1994 | | REMARK- Dkt #96,97 forwarded to JGH (MLL) (Entered: 12/07/1994) |
| 12/13/1994 | 98 | ORDER by Judge John G. Heyburn II denying pla's motion to set aside Ct's prior order as moot. [74-2] [94-1] (cc: all counsel) (DIM) (Entered: 12/13/1994) |
| 12/14/1994 | | REMARK- Dkt #98 forwarded to JGH (MLL) (Entered: 12/14/1994) |
| 01/11/1995 | 99 | ORDER by Judge John G. Heyburn II: Case referred to Mag Judge C. C. Gambill for the purpose of conducting a fairness hearing pursuant to 28:636(b)(1)(A). (cc: all counsel) (DIM) (Entered: 01/11/1995) |
| 02/02/1995 | 100 | MOTION by plaintiff for order regarding class notice and fairness hearing ; Memorandum in Support; order tendered; ALSO RECEIVED - OFFICIAL COURT NOTICE re date of hearing and time to be sent out to class representatives. (DIM) (Entered: 02/02/1995) |
| 02/08/1995 | | FILE SUBMITTED to CCG: VOL II delivered to Magistrate Judge Gambill's Chambers from Judge Heyburn's Chambers on unknown date. (FCE) (Entered: 02/08/1995) |
| 02/08/1995 | 101 | MOTION by plaintiff Donna Tucker for order for approval of criteria for qualification, payout and distribution of fund ; Memorandum in Support; order tendered (DIM) (Entered: 02/08/1995) |
| 02/09/1995 | 102 | MOTION by defendant for order to set fairness hearing ; notice of proposed class settlement and order tendered (DIM) (Entered: 02/09/1995) |
| 02/10/1995 | | DOCUMENT #101,102 SUBMITTED to CCG (DIM) Modified on 02/10/1995 (Entered: 02/10/1995) |
| 02/17/1995 | 103 | RESPONSE by defendant to motion for order regarding class notice and fairness hearing [100-1] ; order tendered (DIM) (Entered: 02/21/1995) |
| 02/22/1995 | | DOCUMENT #103 SUBMITTED to CCG (MLL) (Entered: 02/22/1995) |
| 02/22/1995 | 104 | RESPONSE by defendant Union Underwear Co. to motion for order for approval of criteria for qualification, payout and distribution of fund [101-1] ; order tendered (MLL) (Entered: 02/24/1995) |
| 02/27/1995 | | DOCUMENT #104 SUBMITTED to CCG (MLL) (Entered: 02/27/1995) |
| 02/27/1995 | 105 | ORDER by Mag Judge C. C. Gambill: A conference was held on 2/21/95; parties shall file a proposed notice no later than 4:30 p.m. on 2/24/95; telephonic conference set for 12:00 p.m. on 2/24/95 at which time a fairness hearing will be scheduled. (cc: all counsel) (DIM) (Entered: 02/27/1995) |
| 02/28/1995 | 106 | ORDER by Judge John G. Heyburn II granting motion for order to set fairness hearing [102-1], granting motion for order regarding class notice and fairness hearing [100-1] ; in-court hearing set for 9:00 4/13/95 before Judge John G. Heyburn II Pla. at expense of the dft., shall cause the notice to be published, once |

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| | | each week during each of the three weeks immediately preceding 4/3/95. (cc: all counsel) (PAC) (Entered: 02/28/1995) |
| 03/03/1995 | 107 | NOTICE of proposed settlement agreement and Notice of fairness hearing set on 4/13/95 at 9:00 a.m. in BG (cc: all counsel) (DIM) (Entered: 03/03/1995) |
| 03/04/1995 | | BEGIN VOLUME # III (DIM) (Entered: 06/16/1995) |
| 03/06/1995 | 108 | ORDER by Mag Judge C. C. Gambill ; this matter having been referred to USMJ, a conference was held 2/24/95; discussions having been held, by agreement of the parties, fairness hearing set for 9:00 4/13/95 before Mag Judge C. C. Gambill in Bowling Green, KY (cc: all counsel) (MLG) (Entered: 03/06/1995) |
| 03/10/1995 | 109 | AMENDED ORDER by Judge John G. Heyburn II re [108-2], Paragraph 3 of the Order previously entd on 2/28/95 is amended. (cc: all counsel) (PAC) (Entered: 03/10/1995) |
| 03/14/1995 | 110 | ORDER by Mag Judge C. C. Gambill to correct typographical error in original document. Paragraph VI on page 6 should state that the agreement is for (five (5) years, rather than five (50) years. (cc: all counsel) (PAC) (Entered: 03/14/1995) |
| 03/15/1995 | | DOCUMENT #105,106,107,109 SUBMITTED to CCG (MLL) (Entered: 03/15/1995) |
| 03/23/1995 | 111 | NOTICE by defendant of mailing notice of proposed settlement agreement and notice of fairness hearing. (SEE Brown Folder for Names of Persons in Class) (DIM) Modified on 03/31/1995 (Entered: 03/23/1995) |
| 03/27/1995 | 112 | SECOND AMENDED ORDER by Judge John G. Heyburn II re [109-1]: The amended order entered on 3/10/95 is dissolved; Paragraph 3 of the Order previously entered by this Ct dated 2/28/95 is reinstated to read as follows: Dft UUC, d/b/a FOL, at its own expense, shall mail a copy of the notice to all class members for whom it has addresses. The ntc shall be mailed to each class member's last known address. Dft shall mail said ntes no later than 21 days prior to the date scheduled for the hearing. Dft shall file with the Ct a lst of all persons to whom it mails said ntc along with a certification showing the date of mailing. (cc: all counsel) (DIM) (Entered: 03/27/1995) |
| 04/03/1995 | | REMARK: received objection to notice from Deborah K. Kennedy – settlement offer not high enough. (DIM) Modified on 04/04/1995 (Entered: 04/03/1995) |
| 04/03/1995 | 113 | NOTICE of filing attached letter from Brad Clark dated 4/3/95 into evidence by defendant Union Underwear Co. (MLL) (Entered: 04/04/1995) |
| 04/04/1995 | | DOCUMENT #11,112,113 SUBMITTED to CCG (MLL) (Entered: 04/04/1995) |
| 04/04/1995 | | REMARK– Received letter from Barbara Wilson in re: Settlement Agreement. (MLL) (Entered: 04/04/1995) |
| 04/06/1995 | | LETTER to Judge Heyburn from Brad Clark re: proposed settlement agreement. (PAC) (Entered: 04/06/1995) |
| 04/14/1995 | 114 | OBJECTIONS by plaintiff Donna Tucker to letter dated 4/3/95 by Brad Clark being entered into evidence in this action. (MLL) (Entered: 04/14/1995) |
| 04/14/1995 | 115 | ORDER by Mag Judge C. C. Gambill Case called 4/13/95 for fairness hearing; counsel for the parties heard; all parties recommended approval of the settlement agreement; in-court hearing held on 4/13/95 ; action stands submitted. (cc: all counsel) (FCE) (Entered: 04/14/1995) |
| 04/14/1995 | | REMARK: DN 115 forwarded to Magistrate Judge Gambill. (FCE) (Entered: 04/14/1995) |
| 04/17/1995 | | DOCUMENT #114 SUBMITTED to CCG (MLL) (Entered: 04/17/1995) |
| 05/26/1995 | | FILE RETURNED to B.G. (PAC) (Entered: 05/26/1995) |
| 05/30/1995 | 116 | MOTION by plaintiff Donna Tucker for order requiring dft to show cause why they should not be held in contempt for failure to comply with this Court's order dated 2/28/95 ; Memorandum in Support; order tendered (MLL) (Entered: 05/30/1995) |

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| | | 05/31/1995) |
| 06/02/1995 | 117 | RESPONSE by defendant Union Underwear Co. to motion for order requiring dft to show cause why they should not be held in contempt for failure to comply with this Court's order dated 2/28/95 [116-1] ; order tendered (MLL) (Entered: 06/05/1995) |
| 06/05/1995 | 118 | FINDINGS OF FACT AND CONCLUSIONS OF LAW concerning fairness hearing for relief from unlawful employment discrimination by Mag Judge C. C. Gambill ; objections due ddl set for 6/17/95 (cc: all counsel) (DIM) (Entered: 06/07/1995) |
| 06/08/1995 | 119 | MOTION by plaintiff Donna Tucker for pre-trial conference ; order tendered (MLL) (Entered: 06/08/1995) |
| 06/21/1995 | 120 | JUDGMENT: by Judge John G. Heyburn II granting FINDINGS OF FACT AND CONCLUSIONS OF LAW [118-1], granting motion for order for approval of agreement of settling class action [95-1] and a consent decree be and is hereby entered by the District Court and terminating action; Ct will retain jurisdiction to decide certain matters as set forth in the Settlement Agreement.final judgment...no cause for delay.(cc: all counsel) (DIM) (Entered: 06/21/1995) |
| 06/21/1995 | | FILE SUBMITTED to JGH for review re consent decree and then to go to CCG on pending motions. (DIM) Modified on 06/21/1995 (Entered: 06/21/1995) |
| 07/13/1995 | 121 | MOTION by plaintiff Donna Tucker for determination of amount of interim attorney fees and costs ; Memorandum in Support; order tendered (MLL) (Entered: 07/13/1995) |
| 07/13/1995 | 122 | AFFIDAVIT of Larry F. Sword w/exhibits A &B (MLL) (Entered: 07/13/1995) |
| 07/13/1995 | 123 | AFFIDAVIT of Robert L. Bertram w/exhibits (MLL) (Entered: 07/13/1995) |
| 07/13/1995 | 124 | AFFIDAVIT of Mark L. Morgan w/exhibit (MLL) (Entered: 07/13/1995) |
| 07/14/1995 | 125 | MOTION by plaintiff Donna Tucker for order of approval of Criteria for Qualificaqtion, Payout and Distribution of Funds ; Memorandum in Support; order tendered (MLL) (Entered: 07/14/1995) |
| 07/14/1995 | | FILE/DOCUMENT RETURNED to BG (MLL) (Entered: 07/14/1995) |
| 07/20/1995 | 126 | MOTION by defendant Union Underwear Co for order approving Compliance Review Procedure ; Compliance Review Procedure tendered ; order tendered (MLL) (Entered: 07/21/1995) |
| 07/21/1995 | 127 | MOTION by defendant Union Underwear Co to extend time to respond to pla motion for determination of atty fees and costs up to and including 8/15/95 ; Memorandum in Support; order tendered (MLL) (Entered: 07/24/1995) |
| 07/31/1995 | | REMARK: DN 127 FORWARDED TO MAGISTRATE JUDGE GAMBILL. (FCE) (Entered: 07/31/1995) |
| 08/02/1995 | 128 | RESPONSE by plaintiff Donna Tucker to motion to extend time to respond to pla motion for determination of atty fees and costs up to and including 8/15/95 [127-1] ; order tendered (MLL) (Entered: 08/02/1995) |
| 08/04/1995 | 129 | RESPONSE AND OBJECTIONS by plaintiff Donna Tucker to "Proposed Compliance Review Procedure" [126-1] (MLL) (Entered: 08/04/1995) |
| 08/07/1995 | 130 | ORDER by Mag Judge C. C. Gambill granting motion to extend time to respond to pla motion for determination of atty fees and costs up to and including 8/15/95 [127-1] (cc: all counsel) (DIM) (Entered: 08/07/1995) |
| 08/14/1995 | 131 | REPLY by defendant Union Underwear Co re response and objection to dfts proposed compliance review procedure [129-1] (MLL) Modified on 08/15/1995 (Entered: 08/15/1995) |
| 08/15/1995 | 132 | RESPONSE by defendant Union Underwear Co to motion for determination of amount of interim attorney fees and costs [121-1] ; order tendered (MLL) (Entered: 08/16/1995) |

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| 08/15/1995 | 133 | MOTION by defendant Union Underwear Co for order requiring pla counsel to produce and and all fee arrangements made with Donna Tucker and/or Pamela Roution ; Memorandum in Support; order tendered (MLL) (Entered: 08/16/1995) |
| 08/15/1995 | 134 | MOTION by defendant Union Underwear Co for evidentiary hearing in re pla motion for determination of interim atty fees and costs ; Memorandum in Support; order tendered (MLL) (Entered: 08/16/1995) |
| 08/15/1995 | 135 | MOTION by defendant Union Underwear Co for order requiring pla counsel to submit an itemization of expenses and costs ; Memorandum in Support; order tendered (MLL) (Entered: 08/16/1995) |
| 08/16/1995 | | FILE/DOCUMENT SUBMITTED to CCG on Dkt #101,116,119,121,125,126 (MLL) (Entered: 08/16/1995) |
| 08/24/1995 | 136 | ORDER by Mag Judge C. C. Gambill granting motion for order of approval of Criteria for Qualificaqtion, Payout and Distribution of Funds [101-1 and 125-1] (cc: all counsel) (DIM) (Entered: 08/24/1995) |
| 08/24/1995 | 137 | MOTION by plaintiff Donna Tucker to extend time to respond to dfts various motions up to and including 9/15/95 ; order tendered (MLL) (Entered: 08/24/1995) |
| 08/25/1995 | | DOCUMENT #136,137 SUBMITTED to CCG (MLL) (Entered: 08/25/1995) |
| 08/31/1995 | 138 | MOTION by plaintiff Donna Tucker for order requiring dft and dft's attorney to produce time records ; order tendered (MLL) (Entered: 08/31/1995) |
| 08/31/1995 | | DOCUMENT #138 SUBMITTED to CCG (MLL) (Entered: 08/31/1995) |
| 09/01/1995 | | BEGIN VOLUME # IV (MLL) (Entered: 10/23/1995) |
| 09/14/1995 | 139 | ORDER by Judge John G. Heyburn II Case referred to Mag Judge C. C. Gambill pursuant to 28 USC 636(b)(l)(A) &(B). (cc: all counsel) (MJH) (Entered: 09/14/1995) |
| 09/18/1995 | 140 | REPLY by plaintiff Donna Tucker re dfts. objection to pla motion to determine amount of interim attorneys fees [132-1] (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 141 | NOTICE of filing of affidavits re attorneys fees by plaintiff Donna Tucker (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 142 | AFFIDAVIT of W. Henry Graddy IV (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 143 | AFFIDAVIT of Charles J. McEnroe (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 144 | AFFIDAVIT of Mark D. Knight (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 145 | AFFIDAVIT of Richard Hay (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 146 | AFFIDAVIT of Hollis E. Edmonds (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 147 | AFFIDAVIT of Robert L. Bertram (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | 148 | MOTION by plaintiff Donna Tucker to strike scandalous matter contained in dfts response & objection to pla attys motion for atty fees and costs ; Memorandum in Support; order tendered (MLL) (Entered: 09/18/1995) |
| 09/18/1995 | | REMARK- Agreed Order tendered and forwarded to CCG (MLL) Modified on 09/18/1995 (Entered: 09/18/1995) |
| 09/18/1995 | | DOCUMENT #140 thru 148 SUBMITTED to CCG (MLL) (Entered: 09/18/1995) |
| 09/27/1995 | 149 | MOTION by plaintiff Donna Tucker for order granting approval of payment to Donna Tucker and Pamela Roution ; Memorandum in Support; order tendered (MLL) (Entered: 09/27/1995) |
| 09/27/1995 | | DOCUMENT #149 SUBMITTED to CCG (MLL) (Entered: 09/27/1995) |
| 10/04/1995 | 150 | MOTION by plaintiff Donna Tucker for order approving notice re: distribution of \$35,000.00 in accordance with the settlement agreement ; order tendered (MLL) (Entered: 10/04/1995) |

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| 10/04/1995 | | DOCUMENT #150 SUBMITTED to CCG at Lvle. (MLL) (Entered: 10/04/1995) |
| 10/16/1995 | 151 | OBJECTIONS to pla Request for Production of Documents by defendant Union Underwear Co (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 152 | OBJECTIONS to Interrogatories propounded by defendant Union Underwear Co (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 153 | OBJECTIONS to Interrogatories by defendant Union Underwear Co (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 154 | RESPONSE by defendant Union Underwear Co to motion for order granting approval of payment to Donna Tucker and Pamela Routon [149-1] ; order tendered (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 155 | RESPONSE by defendant Union Underwear Co to motion for order approving notice re: distribution of \$35,000.00 in accordance with the settlement agreement [150-1] ; order tendered (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 156 | RESPONSE by defendant Union Underwear Co to motion for order requiring dft and dft's attorney to produce time records [138-1] ; order tendered (MLL) (Entered: 10/16/1995) |
| 10/16/1995 | 157 | RESPONSE by defendant Union Underwear Co to motion to strike scandalous matter contained in dfts response & objection to pla attys motion for atty fees and costs [148-1] ; order tendered (MLL) (Entered: 10/16/1995) |
| 10/19/1995 | 158 | REPLY by plaintiff Donna Tucker to response to motion for order requiring pla counsel to produce and and all fee arrangements made with Donna Tucker and/or Pamela Routon [133-1] (DIM) (Entered: 10/20/1995) |
| 10/23/1995 | 159 | ORDER and RECOMMENDATION by Mag Judge C. C. Gambill granting motion to extend time in accordance with parties' agreement to respond to dfts various motions up to and including 10/15/95 [137-1], denying motion for order requiring dft to show cause why they should not be held in contempt for failure to comply with this Court's order 2/28/95 [116-1] as moot, denying motion for pre-trial conference [119-1] as moot; RECOMMENDATION that the mo for order approving proposed compliance procedure be denied and that FTOL be granted 30 days to retender its proposal to the Ct to comply wjith the considerations set forth in this recommendation. Parties must file any objections to this w/in 10 days. (cc: all counsel) (DIM) (Entered: 10/23/1995) |
| 10/23/1995 | 159 | FINDINGS OF FACT AND CONCLUSIONS OF LAW concerning a motion for an order of the district court approving the proposed compliance prodecure by Mag Judge C. C. Gambill ; objections due ddl set for 11/2/95 (cc: all counsel) (DIM) (Entered: 10/23/1995) |
| 10/23/1995 | | DOCUMENT #151 thru 159 SUBMITTED to CCG (MLL) Modified on 10/23/1995 (Entered: 10/23/1995) |
| 10/27/1995 | 160 | MOTION by plaintiff Donna Tucker to compel dft to answer interrogatories and request for production of documents ; Memorandum in Support; order tendered (MLL) (Entered: 10/30/1995) |
| 11/01/1995 | | FILE/DOCUMENT RETURNED to BG (MLL) (Entered: 11/01/1995) |
| 11/06/1995 | | FILE/DOCUMENT SUBMITTED to CCG at Lvle (MLL) (Entered: 11/06/1995) |
| 11/08/1995 | 161 | RESPONSE by defendant Union Underwear Co to motion to compel dft to answer interrogatories and request for production of documents [160-1] ; affidavit filed; order tendered (MLL) (Entered: 11/09/1995) |
| 11/09/1995 | | DOCUMENT #161 SUBMITTED to CCG at Lvle (MLL) (Entered: 11/09/1995) |
| 11/15/1995 | 162 | NOTICE OF RESUBMISSION OF COMPLIANCE REVIEW PROCEDURE by defendant Union Underwear Co; order approving tendered (MLL) (Entered: 11/16/1995) |
| 11/17/1995 | | DOCUMENT #162 SUBMITTED to CCG at Lvle (MLL) (Entered: 11/17/1995) |

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| 11/22/1995 | 163 | ORDER by Mag Judge C. C. Gambill granting motion for order granting approval of payment to Donna Tucker and Pamela Roution [149-1], granting motion for order approving notice re: distribution of \$35,000.00 in accordance with the settlement agreement [150-1]; pla shall provide dft with an itemized cost for the publication of the notice in the relevant newspapers following publication of the Notice. (cc: all counsel) (DIM) (Entered: 11/28/1995) |
| 11/28/1995 | 164 | ORDER by Mag Judge C. C. Gambill taking under advisement the motion for determination of amount of interim attorney fees and costs [121-1], denying without prejudice the motion for order requiring pla counsel to produce any and all fee arrangements made with Donna Tucker and/or Pamela Roution [133-1] with right to refile should the dft submit controlling judicial authority to the contrary, taking under advisement on the motion for evidentiary hearing in re pla motion for determination of interim atty fees and costs [134-1], denying motion for order requiring pla counsel to submit an itemization of expenses and costs [135-1], and the Mag. Judge directs counsel for the plas to clarify their billing statements to separate out time spent and expenses related to the individual claims of plas Tucker and Roution, identify the legal issues related to each entry for legal research and state the general subject matter of any telephone conversation about the case which lasted 20 min.or longer; plas shall have 20 days from entry of this order to prepare and file their amended billing statements; in all other respects the mo of dft is denied; denying motion for order requiring dft and dft's attorney to produce time records [138-1], denying motion to strike scandalous matter contained in dfts response & objection to pla attys motion for atty fees and costs [148-1], denying motion to compel dft to answer interrogatories and request for production of documents [160-1]; the Mag. Judge Sustains the objection of the dft to the plas' interrogatories and requests for production regarding the atty billing and expenses incurred by the dft in defending the present suit. (cc: all counsel) (DIM) (Entered: 11/28/1995) |
| 11/30/1995 | | DOCUMENT #163,164 SUBMITTED to CCG at Lvle (MLL) Modified on 11/30/1995 (Entered: 11/30/1995) |
| 12/01/1995 | 165 | RESPONSE TO ORDER AND MOTION by defendant Union Underwear Co to clarify order of Magistrate Judge Gambill dated 11/21/95 ; order tendered (MLL) (Entered: 12/04/1995) |
| 12/06/1995 | | DOCUMENT #165 SUBMITTED to CCG at Lvle. (MLL) (Entered: 12/06/1995) |
| 12/14/1995 | 166 | NOTICE OF COMPLIANCE REGARDING TIME AND EXPENSE RECORDS by plaintiff Donna Tucker in support of [164-1] (MLL) (Entered: 12/14/1995) |
| 12/14/1995 | | DOCUMENT #166 SUBMITTED to CCG at Lvle. (MLL) (Entered: 12/14/1995) |
| 01/02/1996 | 167 | RESPONSE by defendant Union Underwear Co to pla notice of compliance with order re time & expense records [166-1] (MLL) (Entered: 01/03/1996) |
| 01/02/1996 | 168 | MOTION by defendant Union Underwear Co for telephonic conference with Magistrate ; order tendered (MLL) (Entered: 01/03/1996) |
| 01/03/1996 | | DOCUMENT #167,168 SUBMITTED to CCG at Lvle (MLL) Modified on 01/03/1996 (Entered: 01/03/1996) |
| 01/05/1996 | 169 | NOTICE of submission of affidavit of Brad Clark pursuant to Settlement Agreement by defendant Union Underwear Co (MLL) (Entered: 01/05/1996) |
| 01/05/1996 | | DOCUMENT #169 SUBMITTED to CCG at Lvle (MLL) (Entered: 01/05/1996) |
| 01/10/1996 | 170 | ORDER by Mag Judge C. C. Gambill granting motion for telephonic conference with Magistrate [168-1] ;l telephonic conf set for 10:30 1/12/96 as to the dates on which they are available for an evidentiary hearing before Mag Judge C. C. Gambill (cc: all counsel) (PAC) (Entered: 01/10/1996) |
| 01/10/1996 | 171 | REPORT AND RECOMMENDATION by Mag Judge C. C. Gambill re [162-1]: For the reasons set forth in the prior recommendation of 10/23/95, the Magistrate recommends that the resubmitted compliance review procedure be approved by the District Court cc: all counsel (MLL) (Entered: 01/11/1996) |

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| 01/16/1996 | | DOCUMENT #170,171 SUBMITTED to CCG (MLL) (Entered: 01/16/1996) |
| 01/19/1996 | 172 | ORDER by Mag Judge C. C. Gambill granting motion for evidentiary hearing in re pla motion for determination of interim atty fees and costs [134-1] ; telephonic conference held on 1/11/96 ; in-court hearing set for 9:30 2/12/96 before Mag Judge C. C. Gambill in Bowling Green ; the parties jointly advise the Magistrate as soon as possible as to their efforts at mediation before Hon Phil Patton so that the undersigned may provide any assistance necessary (cc: all counsel) (MLL) (Entered: 01/19/1996) |
| 01/19/1996 | 173 | ORDER by Mag Judge C. C. Gambill granting motion to clarify order of Magistrate Judge Gambill dated 11/21/95 [165-1]. Pla counsel shall provide the dft with copies of any private fee agreements with Tucker & Routon within 10 days. Dft shall file its written objection to specific entries of the amended billing statements it believes are duplicitous or based on improper minimum time billing within 10 days. (cc: all counsel) (MLL) (Entered: 01/19/1996) |
| 01/25/1996 | | DOCUMENT #172,173 SUBMITTED to CCG at Lvle (MLL) (Entered: 01/25/1996) |
| 01/25/1996 | 174 | ORDER by Mag Judge C. C. Gambill, telephonic conf. held 1/25/96, parties to comply as set forth in order. Dft. granted till 1/30/96 to file objections to the amended billing statements of pla. counsel. (cc: all counsel) (PAC) (Entered: 01/25/1996) |
| 01/26/1996 | 175 | ORDER by Mag Judge C. C. Gambill granting motion for order requiring dft and dft's attorney to produce time records [138-1] and the motion to compel answers to interrogatories and request for production . In view of the expedited nature of the evidentiary hearing now set for 2/12/96, dft. shall serve its resp., and provide the requested documents, no later that 2/2/96. (cc: all counsel) (PAC) (Entered: 01/26/1996) |
| 01/29/1996 | 176 | NOTICE of filing of fee agreements by plaintiff Donna Tucker and Pamela Routon` (MLL) (Entered: 01/29/1996) |
| 01/29/1996 | | REMARK- Order tendered and forwarded to CCG at Lvle. (MLL) (Entered: 01/29/1996) |
| 01/29/1996 | 177 | SUPPLEMENTAL MEMORANDUM in support of motion to compel discovery re dfts attorneys fees and time by plaintiff Donna Tucker (MLL) (Entered: 01/29/1996) |
| 01/29/1996 | 179 | MOTION by defendant Union Underwear Co to extend time to produce time records up to and including 2/9/96 ; order tendered (MLL) (Entered: 01/30/1996) |
| 01/30/1996 | 178 | ORDER by Mag Judge C. C. Gambill telephonic conf. held 1/25/96 , The following affidavits filed of record are admitted into evidence; Norman E. Harned; Larry F. Sword; Robert L. Bertram; Mark Morgan; W. Henry Graddy IV; Charles McEnroe; Mark D. Knight; Richard Hay; Hollis E. Edmonds; Robert L. Bertram. (cc: all counsel) (PAC) (Entered: 01/30/1996) |
| 01/30/1996 | 180 | RESPONSE and objections to the bills submitted by class counsel by defendant Union Underwear Co in compliance with court order (MLL) (Entered: 02/01/1996) |
| 01/31/1996 | | DOCUMENT #179 SUBMITTED to CCG at Lvle (MLL) (Entered: 01/31/1996) |
| 01/31/1996 | 181 | WITNESS/EXHIBIT list filed by plaintiff Donna Tucker (MLL) (Entered: 02/01/1996) |
| 01/31/1996 | 182 | WITNESS/EXHIBIT list filed by defendant Union Underwear Co (MLL) (Entered: 02/01/1996) |
| 02/01/1996 | | DOCUMENT #180,181,182 SUBMITTED to CCG at Lvle (MLL) (Entered: 02/01/1996) |
| 02/02/1996 | 183 | MOTION by defendant Union Underwear Co for protective order that dft not be required to answer interrogatories and requests for production of documents propounded on 8/29/95 ; Memorandum in Support; order tendered (MLL) (Entered: 02/05/1996) |

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| 02/02/1996 | 184 | ANSWER AND OBJECTIONS TO INTERROGATORIES by defendant Union Underwear Co (MLL) (Entered: 02/05/1996) |
| 02/02/1996 | 185 | RESPONSE AND OBJECTIONS to pla request for production of documents by defendant Union Underwear Co (MLL) (Entered: 02/05/1996) |
| 02/05/1996 | | DOCUMENT #183,184,185 SUBMITTED to CCG at Lvle. (MLL) (Entered: 02/05/1996) |
| 02/05/1996 | 186 | ORDER by Mag Judge C. C. Gambill granting motion to extend time to produce time records up to and including 2/9/96 [179-1] (cc: all counsel) (PAC) (Entered: 02/05/1996) |
| 02/07/1996 | 187 | COMPLIANCE by defendant with Mag. Judge's Order dated 1/16/96 (DIM) (Entered: 02/08/1996) |
| 02/08/1996 | 189 | COMPLIANCE AND OBJECTIONS by defendant Union Underwear Co to Magistrate Judge's order[186-1] (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 188 | ORDER by Mag Judge C. C. Gambill granting motion to compel. Counsel for the dft. are ORDERED to file under seal with the Clk. of Ct. in B.G. Division not later than close of business on 2/9/96, two unredacted copies of dft. time records for use by the ct. prior to the hearing., [183-1] (cc: all counsel) (PAC) (Entered: 02/09/1996) |
| 02/09/1996 | 190 | AMENDED WITNESS/EXHIBIT list filed by plaintiff Donna Tucker (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 191 | MOTION by plaintiff Donna Tucker to compel dft to answer interrogatories ; Memorandum in Support; order tendered (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 192 | NOTICE of filing unredacted copies of dfts attys time records and billing statements under seal by defendant Union Underwear Co (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 193 | SUPPLEMENTAL FILING of records and billing statements by defendant Union Underwear Co re response [185-1] (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 194 | MOTION by defendant Union Underwear Co to strike motion for contempt filed by pla ; Memorandum in Support; order tendered (MLL) (Entered: 02/09/1996) |
| 02/09/1996 | 195 | MOTION by defendant Union Underwear Co to continue hearing set 2/12/96 ; Memorandum in Support; order tendered (MLL) (Entered: 02/09/1996) |
| 02/12/1996 | 196 | MOTION by plaintiff Donna Tucker for contempt for violation of courts order that the parties mediate the pending motion for interim attys fees , and for sanctions ; Memorandum in Support; order tendered (MLL) (Entered: 02/12/1996) |
| 02/12/1996 | 197 | OBJECTIONS to dfts witness list as to witnesses Michael Owsley and David Friedman by plaintiff Donna Tucker to [182-1] (MLL) (Entered: 02/12/1996) |
| 02/12/1996 | 198 | MOTION by defendant Union Underwear Co to disqualify Magistrate ; Memorandum in Support; affidavit of Joyce M. Russell; order tendered (MLL) (Entered: 02/13/1996) |
| 02/12/1996 | 199 | MOTION by defendant Union Underwear Co for order denying the fee application submitted by pla counsel , and for sanctions and penalties for the breach of the mediation agreement ; Memorandum in Support; order tendered (MLL) (Entered: 02/13/1996) |
| 02/12/1996 | 200 | RESPONSE by defendant Union Underwear Co to pla objection to dfts witness list [197-1] (MLL) (Entered: 02/13/1996) |
| 02/12/1996 | 201 | SUPPLEMENTAL FILING OF LINE BY LINE OBJECTIONS by defendant Union Underwear Co re response [180-1] (MLL) (Entered: 02/13/1996) |
| 02/13/1996 | 202 | NOTICE OF FILING of Revised Redacted Billing Statements by defendant Union Underwear Co (MLL) (Entered: 02/13/1996) |

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| 02/16/1996 | 203 | ORDER by Mag Judge C. C. Gambill denying motion for order denying the fee application submitted by pla counsel [199-1], denying motion for sanctions and penalties for the breach of the mediation agreement [199-2], denying motion to disqualify Magistrate [198-1] (cc: all counsel) (PAC) (Entered: 02/20/1996) |
| 02/16/1996 | 204 | ORDER by Mag Judge C. C. Gambill, The Mag. Judge has yet to rule on the question of whether the day books are discoverable. This matter will not be addressed until the parties have filed their respective briefs. In the interim the Mag. Judge ORDERS Mr. Bertram to file under seal with the Clk. of Ct. in B.G. the originals of his office day books for the years 1989 through 1995. Mr. Bertram shall file the certification and day books with the Office of the Clk. no alter than 2/21/96. (cc: all counsel) (PAC) (Entered: 02/20/1996) |
| 02/16/1996 | 205 | ORDER by Mag Judge C. C. Gambill,objection to the witness list is OVERRULED. [197-1] (cc: all counsel) (PAC) (Entered: 02/20/1996) |
| 02/21/1996 | 206 | ORDER by Mag Judge C. C. Gambill, motion of the dft. for a protective order is GRANTED to the extent of the revises redacted time records. (cc: all counsel) (PAC) (Entered: 02/21/1996) |
| 02/21/1996 | 207 | SUPPLEMENTAL WITNESS LIST by defendant Union Underwear Co re list [182-1] (MLL) (Entered: 02/22/1996) |
| 02/21/1996 | 208 | (SEALED DOCUMENTS) COMPLIANCE WITH ORDER ENTERED 2/16/96 by filing original office daybooks for the years 1988 through 1995 by Robert L. Bertram attorney for plaintiff Donna Tucker (MLL) (Entered: 02/22/1996) |
| 02/22/1996 | | DOCUMENT #207,208 SUBMITTED to CCG at Lvle (MLL) (Entered: 02/22/1996) |
| 02/23/1996 | 209 | MOTION by defendant Union Underwear Co for order directing pla counsel to respond to Request for Production of Documents on or before 3/1/96 ; order tendered (MLL) (Entered: 02/26/1996) |
| 02/27/1996 | | DOCUMENT #209 SUBMITTED to CCG at Lvle. (MLL) (Entered: 02/27/1996) |
| 03/04/1996 | 210 | ORDER by Mag Judge C. C. Gambill evidentiary hearing held on 2/12-13/96 ; continuation of evidentiary hearing set for 9:30 a.m. on 3/26/96 before Mag Judge C. C. Gambill at BG (cc: all counsel) (DIM) (Entered: 03/04/1996) |
| 03/05/1996 | | DOCUMENT #210 SUBMITTED to CCG at Lvle (MLL) (Entered: 03/05/1996) |
| 03/06/1996 | 211 | MOTION by defendant Union Underwear Co for order approving corrected Notice ; order tendered; corrected Notice tendered (MLL) (Entered: 03/07/1996) |
| 03/08/1996 | 212 | ORDER by Mag Judge C. C. Gambill: ..counsel shall provide requested statement separately accounting for the hours of Ms. Wilson; dft's request for production of documnts and related motion to limit time for response, since the mag. does not yet have the response of the pla to this latest discovery request, it is premature to rule on the timeliness and scope of dft's request for production....plas have until 3/11/96 to file and serve their response and/or objections to the mo. Mag shall then rule on the relevancy and scope of the requests. No further prehearing discovery motions shall be considered by the Mag. The time for discovery has come to a close. (cc: all counsel) (DIM) (Entered: 03/11/1996) |
| 03/09/1996 | 224 | COMPLIANCE with Magistrate Judge's order entered 2/16/96, regarding proffer of testimony by defendant Union Underwear Co [205-1] (MLL) (Entered: 03/20/1996) |
| 03/11/1996 | 213 | RESPONSE by plaintiff to motion for order approving corrected Notice [211-1] ; order tendered (DIM) (Entered: 03/12/1996) |
| 03/11/1996 | 214 | MOTION by plaintiff for order requiring dft to publish a corrected notice, conspicuously designated as "Corrected Notice", which sets forth the eligibility criteria for division of the \$35,000.00 fund ; order tendered (DIM) (Entered: 03/12/1996) |
| 03/14/1996 | | DOCUMENT #211 thru 214 SUBMITTED to CCG at Lvle. (MLL) (Entered: 03/14/1996) |

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| 03/14/1996 | 215 | RESPONSE and objection to Request for Production of Documents by plaintiff Donna Tucker (MLL) (Entered: 03/15/1996) |
| 03/15/1996 | 216 | CORRECTION (STATEMENT)to pla's counsels' billing statements through July 12, 1995 by plaintiff (DIM) (Entered: 03/17/1996) |
| 03/15/1996 | 217 | MOTION by plaintiffs to supplement July 12, 1995, Motion for Determination of Interim Attorneys' fees ; Memorandum in Support; order tendered (DIM) (Entered: 03/17/1996) |
| 03/15/1996 | 218 | COMPLIANCE by defendant with Mag. Judge's Instructions in Order of March 5, 1996 (DIM) (Entered: 03/17/1996) |
| 03/15/1996 | 219 | MOTION by defendant for reconsideration of order dated March 5, 1996 ; order tendered (DIM) (Entered: 03/17/1996) |
| 03/15/1996 | 220 | TRANSCRIPT OF HEARING HELD ON 2/12,13/96 before Hon. C. Cleveland Gambill, Mag. Judge filed by reporter Dale Stewart. (DIM) (Entered: 03/22/1996) |
| 03/18/1996 | | DOCUMENT #215 thru 219 SUBMITTED to CCG at Lvle (MLL) (Entered: 03/18/1996) |
| 03/18/1996 | 221 | RESPONSE by defendant Union Underwear Co to motion for order requiring dft to publish a corrected notice, conspicuously designated as "Corrected Notice", which sets forth the eligibility criteria for division of the \$35,000.00 fund [214-1] ; order tendered (MLL) Modified on 03/22/1996 (Entered: 03/19/1996) |
| 03/18/1996 | 222 | REPLY by defendant Union Underwear Co to response to motion for order approving corrected Notice [211-1] (MLL) Modified on 03/22/1996 (Entered: 03/19/1996) |
| 03/18/1996 | 223 | BILLING STATEMENT by plaintiff Donna Tucker in support of [212-1] (MLL) Modified on 03/22/1996 (Entered: 03/19/1996) |
| 03/19/1996 | 224 | MOTION by defendant Union Underwear Co to strike pla. motion to supplement 7/12/95 motion for determination of interim attorneys fees ; order tendered (MLL) Modified on 03/22/1996 (Entered: 03/20/1996) |
| 03/20/1996 | | DOCUMENT #220 thru 224 SUBMITTED to CCG at Lvle. (MLL) (Entered: 03/20/1996) |
| 03/22/1996 | 225 | MOTION by plaintiff Donna Tucker for order that notices be published again with the correct recitation and the correct attorneys listed ; order tendered (MLL) (Entered: 03/25/1996) |
| 03/25/1996 | 226 | RESPONSE by defendant Union Underwear Co to motion for order that notices be published again with the correct recitation and the correct attorneys listed [225-1] ; order tendered (MLL) (Entered: 03/25/1996) |
| 03/26/1996 | 227 | ORDER by Mag Judge C. Cleveland Gambill granting motion for order that notices be published again with the correct recitation and the correct attorneys listed [225-1], finding the motion to strike pla. motion to supplement 7/12/95 motion for determination of interim attorneys fees [224-1] moot., denying motion for reconsideration of order dated March 5, 1996 [219-1], denying motion to supplement July 12, 1995, Motion for Determination of Interim Attorneys' fees [217-1], granting motion for order requiring dft to publish a corrected notice, conspicuously designated as "Corrected Notice", which sets forth the eligibility criteria for division of the \$35,000.00 fund [214-1], granting motion for order approving corrected Notice [211-1], denying motion for order directing pla counsel to respond to Request for Production of Documents on or before 3/1/96 [209-1], finding the motion to continue hearing set 2/12/96 [195-1] moot., denying motion for determination of amount of interim attorney fees and costs [121-1] (cc: all counsel) (DIM) Modified on 04/01/1996 (Entered: 03/27/1996) |
| 03/27/1996 | 228 | RESPONSE to dfts motion to strike supplement to 7/12/96? motion by plaintiff Donna Tucker ; affidavit of Larry Sword attached. (MLL) (Entered: 03/28/1996) |

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| 03/27/1996 | 229 | RESPONSE to dfts. motion to reconsider by plaintiff Donna Tucker ; order tendered (MLL) (Entered: 03/28/1996) |
| 03/27/1996 | 230 | OBJECTIONS by plaintiff to Defendant's "Survey" Evidence. (See Order entered 6/26/96 re filing this) (DIM) Modified on 06/26/1996 (Entered: 06/26/1996) |
| 03/28/1996 | 131 | ANNUAL STATUS REPORT by defendant Union Underwear Co (MLL) Modified on 06/26/1996 (Entered: 03/28/1996) |
| 04/01/1996 | | DOCUMENT #227 thru 230 SUBMITTED to CCG at Lvle (MLL) (Entered: 04/01/1996) |
| 04/04/1996 | 232 | ORDER by Mag Judge C. C. Gambill: the continuation of an evidentiary hearing was held on 3/26, 27 and 28, 1996, re atty fees issue; Plas shall submit their post-hearing memorandum w/in 30 days after the transcript of the evidentiary hearing is filed; Dft shall file responsive memorandum w/in 21 days; plas' reply brief filed w/in 5 days thereafter; Return of the original day books filed under seal by plas' counsel shall be addressed on motioni to Dist. Judge. (cc: all counsel) (DIM) Modified on 06/26/1996 (Entered: 04/04/1996) |
| 04/08/1996 | | DOCUMENT #231 SUBMITTED to CCG at Lvle (MLL) (Entered: 04/08/1996) |
| 05/09/1996 | 233 | EXHIBITS of Evidentiary Hearing held 3/26,27,28/96 (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 234 | TRANSCRIPT (Volume I) of Hearing held 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 235 | TRANSCRIPT(Volume II) of Hearing held 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 236 | TRANSCRIPT (Volume III) of Hearing held on 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 237 | TRANSCRIPT (volume IV) of Hearing held 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 238 | TRANSCRIPT (Volume V) of Hearing held on 3/26,27,28/96 filed(MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 239 | TRANSCRIPT (Volume VI) of Hearing held on 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 05/09/1996 | 240 | TRANSCRIPT (Volume VII) of Hearing held on 3/26,27,28/96 filed (MLL) Modified on 06/26/1996 (Entered: 05/09/1996) |
| 06/07/1996 | 21 | POST HEARING MEMORANDUM re: 7/12/95 motion for determination of amount of Interim Attorneys' fees and costs by plaintiff Donna Tucker (MLL) Modified on 06/26/1996 (Entered: 06/10/1996) |
| 06/11/1996 | 242 | NOTICE of compliance with paragraph II.C. of the Settlement Agreement by defendant Union Underwear Co (MLL) Modified on 06/26/1996 (Entered: 06/11/1996) |
| 06/12/1996 | | DOCUMENT #240,241 SUBMITTED to CCG at Lvle to be placed in file. (MLL) (Entered: 06/12/1996) |
| 06/25/1996 | | FILE (Vol. VI) RETURNED to BG (DIM) (Entered: 06/26/1996) |
| 06/26/1996 | 243 | ORDER by Mag Judge C. C. Gambill: Clerk is directed to file pla's Objections of Dft's Survey Evidence in record which was bench filed in open Court on March 27,1996 and shall be filed as of the date of 3/27/96; each party shall share equally the cost of transcript of March 1996 hearing prepared by Ct. Reporter Barbara Whites and filed with the ct on May 9, 1996. Ea party shall tender its respective payment to Ms Whites w/in 20 days of entry of this order. (See Docket No 230 for filing pursuant to this order)(cc: all counsel) (DIM) Modified on 06/26/1996 (Entered: 06/26/1996) |
| 06/26/1996 | 244 | ORDER by Mag Judge C. C. Gambill recommending that the resubmitted procedure be approved by the District Court. Any party wishing to appeal this |

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| | | recommendation must do so by specific written objections filed w/in 10 days of service or waive its right to further review. (cc: all counsel) (DIM) (Entered: 06/26/1996) |
| 06/26/1996 | 245 | ORDER by Mag Judge C. C. Gambilli: On mo by pla to exclude the results of an atty income survey..the weight to be given the survey results is strongly called into question by pla's mo in limine...Mag. Judge concludes that the probative value of the results is sufficient to justify admission into evicence therefore the motion is denied. (cc: all counsel) (DIM) (Entered: 06/26/1996) |
| 06/28/1996 | 246 | RESPONSE, MEMORANDUM AND APPENDIX TO MEMORANDUM by defendant Union Underwear Co to [232-1], to [232-2] (MLL) (Entered: 07/01/1996) |
| 07/01/1996 | 247 | NOTICE of substitution of pages 3 and 19 to its memorandum filed on 6/28/96 by defendant Union Underwear Co (MLL) (Entered: 07/01/1996) |
| 07/05/1996 | 248 | MOTION by plaintiff Donna Tucker to strike dfts appendix to its memorandum re pla attys motion for determination of amt of Interim Attorneys fees and costs ; Memorandum in Support; order tendered (MLL) (Entered: 07/08/1996) |
| 07/05/1996 | 249 | MOTION by plaintiff Donna Tucker for evidentiary hearing ; order tendered (MLL) (Entered: 07/08/1996) |
| 07/05/1996 | 250 | RESPONSE by plaintiff Donna Tucker to dfts memorandum re pla attys 7/12/95 motion for determination of amt of interim attys fees and costs (MLL) (Entered: 07/08/1996) |
| 07/18/1996 | 251 | RESPONSE by defendant Union Underwear Co to motion for evidentiary hearing [249-1] ; order tendered (MLL) (Entered: 07/19/1996) |
| 07/18/1996 | 252 | RESPONSE by defendant Union Underwear Co to motion to strike dfts appendix to its memorandum re pla attys motion for determination of amt of Interim Attorneys fees and costs [248-1] ; order tendered (MLL) (Entered: 07/19/1996) |
| 07/25/1996 | | FILE (VOLUME VI) SUBMITTED to CCG at Lvle (MLL) (Entered: 07/25/1996) |
| 08/14/1996 | 253 | MOTION by plaintiff Donna Tucker for order of CT approval of distribution of funds ; order tend. Support; order tendered (DIM) (Entered: 08/14/1996) |
| 08/20/1996 | | DOCUMENT NUMBER: 253 SUBMITTED to CCG at Lvle (MLL) (Entered: 08/20/1996) |
| 08/21/1996 | 254 | NOTICE of filing affidavit of Steve Rexroat re Section II.B. of the Settlement Agreement relating to priority hiring applicants by defendant Union Underwear Co (MLL) (Entered: 08/21/1996) |
| 08/21/1996 | | DOCUMENT NUMBER: 254 SUBMITTED to CCG at Lvle (MLL) (Entered: 08/21/1996) |
| 08/30/1996 | 255 | MOTION by defendant Union Underwear Co to extend time to respond to pla motion for dist of funds ; order tendered (MLL) (Entered: 09/03/1996) |
| 09/05/1996 | | DOCUMENT NUMBER: 255 SUBMITTED to CCG at Lvle. (MLL) (Entered: 09/05/1996) |
| 09/09/1996 | 256 | MOTION by plaintiff Donna Tucker to strike order tendered by dfts counsel ; order tendered (MLL) (Entered: 09/10/1996) |
| 09/09/1996 | 257 | RESPONSE by plaintiff Donna Tucker to motion to extend time to respond to pla motion for dist of funds [255-1] ; order tendered (MLL) (Entered: 09/10/1996) |
| 09/11/1996 | | DOCUMENT NUMBER: 256,257 SUBMITTED to CCG at Lvle (MLL) (Entered: 09/11/1996) |
| 09/17/1996 | 258 | ORDER by Mag Judge C. C. Gambill plas' counsel shall provide the affidavits submitted by individuals making a claim on the individual claims fund andthe dft shall have two weeks after receipt of these affidavits in which to resp to plas' mo for Ct approval for distribution of funds. [255-1] (cc: all counsel) (DIM) (Entered: 09/17/1996) |

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| 09/17/1996 | 259 | ORDER by Mag Judge C. C. Gambill denying motion for evidentiary hearing [249-1], denying motion to strike dfts appendix to its memorandum re pla attys motion for determination of amt of Interim Attorneys fees and costs [248-1] (cc: all counsel) (DIM) (Entered: 09/17/1996) |
| 09/18/1996 | | DOCUMENT NUMBER: 258,259 SUBMITTED to CCG at Lvle (MLL) (Entered: 09/18/1996) |
| 09/26/1996 | 260 | OBJECTIONS by plaintiff Donna Tucker to order entered 9/17/96 in re: affidavits submitted to class counsel by class members [258-1] (MLL) (Entered: 09/27/1996) |
| 09/26/1996 | 261 | OBJECTIONS by plaintiff Donna Tucker to order entered 9/17/96 re: motion to strike dfts appendix to its memorandum re pla attys' motion for determination of amt of interim attys' fees and costs [259-1] (MLL) (Entered: 09/27/1996) |
| 09/27/1996 | | DOCUMENT NUMBER: 260,261 SUBMITTED to CCG at Lvle (MLL) (Entered: 09/27/1996) |
| 10/01/1996 | 262 | ORDER by Mag Judge C. C. Gambill denying motion to strike order tendered by dfts counsel [256-1] (cc: all counsel) (DIM) (Entered: 10/04/1996) |
| 10/07/1996 | 263 | RESPONSE and motion to overrule pla's objection by defendant Union Underwear Co to [261-1] (MLL) (Entered: 10/07/1996) |
| 10/07/1996 | 264 | RESPONSE and motion to overrule pla's objection by defendant Union Underwear Co to [260-1] (MLL) (Entered: 10/07/1996) |
| 10/08/1996 | | DOCUMENT NUMBER: 262,263,264 SUBMITTED to CCG at Lvle (MLL) (Entered: 10/08/1996) |
| 10/15/1996 | 265 | OBJECTIONS by plaintiff Donna Tucker to Magistrate's order [262-1] (MLL) (Entered: 10/16/1996) |
| 10/16/1996 | | DOCUMENT NUMBER: 265 SUBMITTED to CCG at Lvle (MLL) (Entered: 10/16/1996) |
| 10/24/1996 | 266 | MOTION by plaintiff Donna Tucker for order directing the Magistrate to file his report in re to interim atty fees ; Memorandum in Support; order tendered (MLL) (Entered: 10/25/1996) |
| 10/25/1996 | | DOCUMENT NUMBER: 266 SUBMITTED to CCG at Lvle (MLL) (Entered: 10/25/1996) |
| 10/25/1996 | 267 | RESPONSE by defendant Union Underwear Co to motion for order directing the Magistrate to file his report in re to interim atty fees [266-1] (MLL) (Entered: 10/25/1996) |
| 10/25/1996 | | DOCUMENT NUMBER: 267 SUBMITTED to CCG at Lvle (MLL) (Entered: 10/25/1996) |
| 10/28/1996 | 268 | RESPONSE by defendant Union Underwear Co to pla objection to Magistrate Judge's Order [265-1] (MLL) (Entered: 10/29/1996) |
| 10/28/1996 | 268 | MOTION by defendant Union Underwear Co for order overruling pla's objection to Magistrate Judge's Order ; Memorandum in Support; order tendered (MLL) (Entered: 10/29/1996) |
| 10/29/1996 | | DOCUMENT NUMBER: 268 SUBMITTED to CCG at Lvle (MLL) (Entered: 10/29/1996) |
| 11/04/1996 | 269 | TRANSCRIPT of Fairness Hearing before Hon Cleveland Gambill on 4/13/95 filed (MLL) (Entered: 11/06/1996) |
| 12/03/1996 | | BEGIN VOLUME # 7 with pleading # 270. (PAC) (Entered: 12/05/1996) |
| 12/04/1996 | 270 | FINDINGS OF FACT AND CONCLUSIONS OF LAW concerning motion for order directing the Magistrate to file his report in re to interim atty fees [266-1], motion for order of CT approval of distribution of funds [253-1]. RE: that Robert Bertram receive \$25,257 in fees and \$1,862.53 in expenses; that Margaret Gail Wilson receive \$5,964 in fees; that Larry Sword receive \$95,320 in fees and |

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| | | \$5,385.79 in expenses in Tucker; that Larry Sword receive \$2,350 in fees and \$163.89 in expenses in Roution; and that Mark Morgan receive \$1,460 in fees in Roution. The Magistrate Judge further recommends that Bertram and Sword be precluded from recovering any additional fees or costs in this matter for their efforts relating to the interim fee award; by Mag Judge C. C. Gambill ; objections due ddl set for 12/17/96 (cc: all counsel) (PAC) (Entered: 12/04/1996) |
| 12/18/1996 | 271 | MOTION by defendant Union Underwear Co for order to correct clerical error in Findings of Fact, Conclusions of Law and Recommendations ; order tendered (MLL) (Entered: 12/19/1996) |
| 12/18/1996 | 272 | OBJECTIONS by plaintiff Donna Tucker to Magistrate Judge's Findings of Fact, Conclusions of Law and Recommendations [270-1] (MLL) (Entered: 12/19/1996) |
| 12/18/1996 | 273 | MEMORANDUM by plaintiff Donna Tucker in support of objection [272-1] (MLL) (Entered: 12/19/1996) |
| 12/23/1996 | | DOCUMENT NUMBER: 271,272,273 SUBMITTED to CCG at Lvle (MLL) (Entered: 12/23/1996) |
| 12/30/1996 | 274 | RESPONSE by plaintiff Donna Tucker to motion for order to correct clerical error in Findings of Fact, Conclusions of Law and Recommendations [271-1] ; order tendered (MLL) (Entered: 12/31/1996) |
| 01/06/1997 | 275 | RESPONSE by defendant Union Underwear Co to [272-1] (MLL) (Entered: 01/08/1997) |
| 01/17/1997 | 276 | REPLY by defendant Union Underwear Co to response to motion for order to correct clerical error in Findings of Fact, Conclusions of Law and Recommendations [271-1] (MLL) (Entered: 01/17/1997) |
| 01/17/1997 | | REMARK: Vols 6 & 7 returned to BG w/memorandum and order (MJH) (Entered: 01/17/1997) |
| 01/21/1997 | 277 | REPLY by plaintiff Donna Tucker re dfts's mem re objections to Magistrate Judge's Findings [275-1] (MLL) (Entered: 01/22/1997) |
| 01/21/1997 | | FILE RETURNED to BG (vol 6 & 7). (DIM) (Entered: 01/23/1997) |
| 01/21/1997 | 278 | MEMORANDUM AND ORDER by Judge John G. Heyburn II: granting FINDINGS OF FACT AND CONCLUSIONS OF LAW [270-1], in most respects. However, Ct respectfully alters that report in one area and merely comments on another. The Ct concludes that by paying a current yr hourly rate rather than a 1987 hourly rate, counsel are compensated by the delay to the extent necessary for fairness. In all other respects, Ct agrees with Mag's findings and conclusions, except that counsel are entitled to the following attys' fees: 1. Tucker v. Union Underwear - Larry Sword - \$128,682 and 2. Roution v. Union Underwear - Larry Sword - \$3,172.50 and the Mag's award as to all other atty's fees and expenses is sustained. ...final and appealable order. (cc: all counsel) (DIM) (Entered: 01/23/1997) |
| 01/30/1997 | 279 | ORDER by Judge John G. Heyburn II ; pretrial conf set for 10:00 2/11/97 in Louisville before Judge John G. Heyburn II (cc: all counsel) (MJH) (Entered: 01/30/1997) |
| 01/30/1997 | | FILE SUBMITTED to Judge Heyburn(Vol 7 only) (MJH) (Entered: 01/30/1997) |
| 01/31/1997 | 280 | MOTION by plaintiff Donna Tucker to alter judgment [120-2] , or to amend ; Memorandum in Support; order tendered (MLL) (Entered: 01/31/1997) |
| 02/03/1997 | | FILE SUBMITTED to CCG last volume only. (PAC) (Entered: 02/03/1997) |
| 02/03/1997 | | FILE RETURNED from CCG (PAC) (Entered: 02/03/1997) |
| 02/03/1997 | 281 | ORDER by Mag Judge C. C. Gambill denying motion to alter judgment [120-2] [280-1], denying motion to amend [280-2] without prejudice. The parties may wish to raise this iue in their scheduled telephonic conference scheduled for 2/11/97. (cc: all counsel) (PAC) (Entered: 02/03/1997) |

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| 02/03/1997 | | FILE SUBMITTED to JGH for telephonic conference on 2/11/97. (PAC) (Entered: 02/03/1997) |
| 02/03/1997 | 282 | MOTION by defendant Union Underwear Co to amend judgment ; Memorandum in Support; order tendered (MLL) (Entered: 02/04/1997) |
| 02/04/1997 | | DOCUMENT NUMBER: 280,282 SUBMITTED to JGH at Lvle (MLL) (Entered: 02/04/1997) |
| 02/07/1997 | 283 | RESPONSE by defendant Union Underwear Co to motion to amend judgment [282-1] ; order tendered (MLL) (Entered: 02/11/1997) |
| 02/12/1997 | 284 | ORDER on conference held on 2/11/97 by Judge John G. Heyburn II, dfts shall resp to pla suggestions by 2/25/97 with any proposal of settlement to the concepts discussed. An extension of time till 3/26/97 is granted for pla to file more specific objections to the Mag Judges Report and Recommendation and the Cts memo and order of 1/21/97. finding all pending motions at this time are now moot given the extentions granted;the dft is granted to 4/25/97 to resp to objections, the matter will be submitted at this time. (cc: all counsel) (PAC) (Entered: 02/12/1997) |
| 02/21/1997 | | DOCUMENT NUMBER: 283 SUBMITTED to JGH at Lvle (MLL) (Entered: 02/21/1997) |
| 02/25/1997 | 285 | MOTION by defendant Union Underwear Co to amend order entered 2/12/97 ; Memorandum in Support; order tendered (MLL) (Entered: 02/27/1997) |
| 02/25/1997 | 286 | STATUS REPORT by defendant Union Underwear Co (MLL) (Entered: 02/27/1997) |
| 03/05/1997 | 287 | MOTION by plaintiff Donna Tucker for settlement conference with corporate official in attendance ; memorandum in Support; order tendered (MLL) (Entered: 03/07/1997) |
| 03/10/1997 | 288 | RESPONSE by plaintiff Donna Tucker to motion to amend order entered 2/12/97 [285-1] ; order tendered (DIM) (Entered: 03/11/1997) |
| 03/18/1997 | | DOCUMENT NUMBER: 285, 286, 287, &288 SUBMITTED to JGH at Louisville (FCE) (Entered: 03/18/1997) |
| 03/19/1997 | | BEGIN VOLUME # VIII (MLL) (Entered: 03/28/1997) |
| 03/21/1997 | 289 | RESPONSE by defendant Union Underwear Co to motion for settlement conference with corporate official in attendance [287-1] ; order tendered (MLL) (Entered: 03/24/1997) |
| 03/21/1997 | 290 | REPLY by defendant Union Underwear Co to response to motion to amend order entered 2/12/97 [285-1] (MLL) (Entered: 03/24/1997) |
| 03/25/1997 | 291 | SPECIFIC OBJECTIONS by plaintiff Donna Tucker in accordance with Court's Order [284-1]; memorandum in support; order tendered (MLL) (Entered: 03/26/1997) |
| 03/26/1997 | | REMARK file ret'd. to B.G. (PAC) (Entered: 03/26/1997) |
| 03/28/1997 | | FILE RETURNED to BG Clerk (Vol 7 only) (DIM) (Entered: 03/28/1997) |
| 03/28/1997 | 292 | ORDER by Judge John G. Heyburn II denying motion for settlement conference with corporate official in attendance [287-1] at this time, denying motion to amend order entered 2/12/97 [285-1]; Ct will consider pla's objections when they are filed and properly responded to in accordance with the existing schedule. (cc: all counsel) (DIM) (Entered: 03/28/1997) |
| 04/04/1997 | 293 | REPLY by plaintiff Donna Tucker to response to motion for settlement conference with Corporate Official in attendance (MLL) (Entered: 04/04/1997) |
| 04/14/1997 | 294 | MOTION by plaintiff Donna Tucker to supplement the record herein with the attached letter ; Memorandum in Support; order tendered (MLL) (Entered: 04/16/1997) |

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| 04/23/1997 | | FILE RETURNED to BG (Vol I, II, III, IV & V) (LMW) Modified on 04/23/1997 (Entered: 04/23/1997) |
| 04/25/1997 | 295 | RESPONSE by defendant Union Underwear Co to motion to supplement the record herein with the attached letter [294-1] ; order tendered (MLL) (Entered: 04/28/1997) |
| 04/25/1997 | 296 | RESPONSE by defendant Union Underwear Co to pla Specific Objections to Magistrate Judge's findings, conclusions and recommendations [291-1] (MLL) (Entered: 04/28/1997) |
| 04/30/1997 | | FILE (volumes 7 &8) SUBMITTED to JGH at Lvle (MLL) (Entered: 04/30/1997) |
| 05/14/1997 | | FILE VOL. 7 AND 8 RETURNED to BG Clerk (DIM) (Entered: 05/15/1997) |
| 05/15/1997 | 297 | MEMORANDUM AND ORDER: by Judge John G. Heyburn II sustaining FINDINGS OF FACT AND CONCLUSIONS OF LAW [270-1] except to the extent otherwise set forth in this memorandum and order; pla's co are entitled to those atty's fees awarded by the Magistrate except as amended as follows: 1) Tucker v. Union Underwear: (a) Robert L. Bertram – \$27,507; and (b) Larry Sword – \$146,232; all the Mag's award as amended by the Ct's order entered 1/21/97 as to all other atty's fees and expenses is sustained.final and appealable order; counsel) (DIM) (Entered: 05/20/1997) |
| 05/20/1997 | | DOCUMENT NUMBER: 294 and 295 SUBMITTED to Martha at Louisville for JGH (DIM) (Entered: 05/20/1997) |
| 05/20/1997 | | FILE SUBMITTED (vol 8) to Martha at L'ville for JGH (DIM) Modified on 05/20/1997 (Entered: 05/20/1997) |
| 05/27/1997 | 298 | ORDER by Judge John G. Heyburn II denying motion to supplement the record herein with the attached letter [294-1] (cc: all counsel) (DIM) (Entered: 05/27/1997) |
| 05/30/1997 | 299 | AFFIDAVIT FOR WRIT OF GARNISHMENT filed; Garnishment issued (MLL) (Entered: 06/02/1997) |
| 06/05/1997 | | REMARK file ret'd. to B.G. (PAC) (Entered: 06/05/1997) |
| 06/06/1997 | | FILE RETURNED to BG vol 7 &8 (MLL) (Entered: 06/06/1997) |
| 06/06/1997 | 300 | ORDER by Judge John G. Heyburn II granting motion to amend judgment; it is ordered that page 32, line 9 be corrected to reflect that the law firm of Harned, Bachert &Denton spend 1,336,20 hrs, or in the alt, that Mr. Harned spent 364.40 hrs and page 60 be corrected to reflect that Mr. Sword was not involved in the lawsuit styled Jack Moore vs; Union Underwear [282-1] (cc: all counsel) (MLL) (Entered: 06/06/1997) |
| 06/11/1997 | | RETURN OF SERVICE of writ of garnishment served 6/5/97 on Bank of Jamestown, Ky (MLL) (Entered: 06/11/1997) |
| 06/13/1997 | 301 | MOTION by Garnishee Bank of Jamestown for order for hearing and instructions re money being held in bank under the order of garnishment; order tendered (DIM) (Entered: 06/13/1997) |
| 06/13/1997 | 302 | ORDER by Judge John G. Heyburn II granting motion for order for clarification of order of garnishment issued on 5/30/97 and instructions re money being held in bank under the order of garnishment; [301-1]; 1) Bk shall continue to hold and preserve the sum of \$191,747.71 contained in the Bk's Acct #005--987-0 in name of Fruit of the Loom pending further order of Ct.; 2) Bk's obligation to respond to Garnishment is stayed and held in abeyance pending further order of Ct.; 3) Bk shall incur no liability to either the Judgment creditors or the judgment debtor or any other person re the above. (cc: all counsel) (DIM) (Entered: 06/13/1997) |
| 06/17/1997 | | FILE (volume 8 only) SUBMITTED to JGH at Lvle (MLL) (Entered: 06/17/1997) |
| 06/17/1997 | 303 | ORDER by Judge John G. Heyburn II ; telephone conf. set for 11:00 6/20/97 before Judge John G. Heyburn II (cc: all counsel) (PAC) (Entered: 06/17/1997) |

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| 06/17/1997 | 304 | OBJECTIONS by defendant Union Underwear Co to Garnishment [299-1] (MLL) (Entered: 06/18/1997) |
| 06/17/1997 | 304 | MOTION by defendant Union Underwear Co to quash garnishment ; affidavit in Support; order tendered (MLL) (Entered: 06/18/1997) |
| 06/24/1997 | 305 | MOTION of Garnishee, Bank of Jamestown for order releasing garnishment as moot ; exhibit filed; order tendered (MLL) (Entered: 06/24/1997) |
| 06/24/1997 | | DOCUMENT NUMBER: 304,305 SUBMITTED to JGH at Lvle (MLL) (Entered: 06/24/1997) |
| 06/24/1997 | 306 | ANNUAL REPORT from 1/1/96 thru 12/31/96 by dft Union Underwear (MLL) (Entered: 06/25/1997) |
| 07/02/1997 | | FILE RETURNED to BG (LMW) (Entered: 07/02/1997) |
| 07/02/1997 | 307 | ORDER by Judge John G. Heyburn II granting motion for order releasing garnishment as moot [305-1]. The order of garn issued on 5/30/97 is hereby set aside and all funds being held by the Bank are hereby released from any control by this Court in this action. The Bank is dismissed from this action with prejudice (cc: all counsel) (PAC) (Entered: 07/02/1997) |
| 07/25/1997 | 308 | NOTICE of Compliance with paragraph II.C. of the Settlement Agreement by defendant Union Underwear Co; order tendered (MLL) (Entered: 07/25/1997) |
| 08/21/1997 | | FILE (vol 8 only) SUBMITTED to JGH at Lvle (MLL) (Entered: 08/21/1997) |
| 09/03/1997 | 309 | ORDER by Mag Judge C. C. Gambill re [308-1]: the promotion of a male into the position of Screen Print Supervisor at the Frankfort, KY, manufacturing facility will not be considered as part of the 50% ratio outlined in Paragraph II.C. of the Settlement Agreement. (cc: all counsel) (DIM) (Entered: 09/03/1997) |
| 10/28/1997 | 310 | MOTION by plaintiff Donna Tucker for order to withdraw exhibits ; order tendered (MLL) (Entered: 10/28/1997) |
| 11/25/1997 | | FILE RETURNED (MLL) (Entered: 11/25/1997) |
| 11/25/1997 | | FILE SUBMITTED to JGH at Louisville (Vol 8 only) (FCE) (Entered: 11/25/1997) |
| 12/02/1997 | | REMARK: File returned to BG w/order (MJH) (Entered: 12/02/1997) |
| 12/03/1997 | | FILE RETURNED to BG (DIM) (Entered: 12/04/1997) |
| 12/04/1997 | 311 | ORDER by Judge John G. Heyburn II granting pla's motion for order to withdraw exhibits [310-1], Daybooks which were filed in this matter (cc: all counsel) (DIM) (Entered: 12/04/1997) |
| 12/30/1997 | 312 | MOTION by plaintiff Donna Tucker for hearing re plas motion for court approval to distribute funds ; order tendered (MLL) (Entered: 01/02/1998) |
| 01/08/1998 | 313 | RESPONSE by defendant Union Underwear Co to motion for hearing re plas motion for court approval to distribute funds [312-1] ; order tendered (MLL) (Entered: 01/08/1998) |
| 01/26/1998 | | FILE SUBMITTED to JGH at Louisville (Vol 8) (FCE) (Entered: 01/26/1998) |
| 01/30/1998 | 314 | ORDER by Judge John G. Heyburn II denying motion for hearing re plas motion for court approval to distribute funds [312-1]; this case is referred to Magistrate Judge Cleve Gambill for consideration of the pending issues (cc: all counsel) (MLL) (Entered: 01/30/1998) |
| 02/05/1998 | | DOCUMENT NUMBER: 314 SUBMITTED to JGH at Lvle (MLL) (Entered: 02/05/1998) |
| 03/18/1998 | 315 | ORDER by Judge John G. Heyburn II re order entered 10/1/96 [262-1]: Pla's objection to Mag Judge's order entered on 10/1/96, regarding affidavits submitted to class counsel by class members is overruled and pla's mo to approve distribution of funds is denied at this time; further ordered that pla's co shall file with the ct with copies to dft the affidavits from those individuals who are proposed to receive |

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| | | a distribution from the individual claims fund. (cc: all counsel) (DIM) (Entered: 03/18/1998) |
| 03/25/1998 | 316 | NOTICE of filing of affidavits per order of 3/18/98 by plaintiff Donna Tucker (MLL) (Entered: 03/26/1998) |
| 04/14/1998 | 317 | NOTICE of compliance with paragraph II.C. of the Settlement Agreement by defendant Union Underwear Co (MLL) (Entered: 04/15/1998) |
| 04/20/1998 | | DOCUMENT NUMBER: 315-317 SUBMITTED to CCG at Lvle (MLL) (Entered: 04/20/1998) |
| 09/08/1998 | 318 | ANNUAL REPORT OF FRUIT OF THE LOOM filed (MLL) (Entered: 09/09/1998) |
| 09/09/1998 | | DOCUMENT NUMBER: 318 SUBMITTED to CCG at Lvle (MLL) (Entered: 09/09/1998) |
| 09/16/1998 | 319 | ORDER by Judge John G. Heyburn II: That counsel for the parties shall withdraw the depositions and any exhibits within 14 days from date of entry of this order... If not withdrawn within the 14 days then the clerk shall destroy them (cc: all counsel) (MLL) (Entered: 09/16/1998) |
| 09/21/1998 | 320 | MOTION by plaintiff Donna Tucker for order of approval to distribute funds ; order tendered (MLL) (Entered: 09/22/1998) |
| 09/24/1998 | | DOCUMENT NUMBER: 320 SUBMITTED to CCG at Lvle (MLL) (Entered: 09/24/1998) |
| 10/02/1998 | | FILE RETURNED to BG (MJH) (Entered: 10/02/1998) |
| 10/06/1998 | | FILE SUBMITTED to CCG at Lvle (MLL) (Entered: 10/06/1998) |
| 12/10/1998 | | FILE RETURNED (DIM) (Entered: 12/10/1998) |
| 12/10/1998 | 321 | ORDER by Mag Judge C. C. Gambill granting motion for order of approval to distribute funds [320-1] (cc: all counsel) (DIM) (Entered: 12/10/1998) |