

**U.S. District Court
Northern District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:10-cv-02882-PAG**

Equal Employment Opportunity Commission v. Kaplan Higher
Education Corporation
Assigned to: Judge Patricia A. Gaughan
Case in other court: 6th Circuit, 13-03408
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 12/21/2010
Date Terminated: 01/28/2013
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **John A. Henderson , Jr.**
U.S. Equal Employment Opportunity
Commission – Baltimore
Ste. 1432
George H. Fallon Federal Bldg.
31 Hopkins Plaza
Baltimore, MD 21201
410-209-2246
Fax: 962-4270
Email: john.henderson@eeoc.gov
ATTORNEY TO BE NOTICED

Kate Northrup
U.S. Equal Employment Opportunity
Commission – Baltimore
Ste. 1432
George H. Fallon Federal Bldg.
31 Hopkins Plaza
Baltimore, MD 21201
410-209-2722
Fax: 410-962-4270
Email: kate.northrup@eeoc.gov

Maria K. Boehringer
U.S. Equal Employment Opportunity
Commission – Baltimore
Ste. 1432
George H. Fallon Federal Bldg.
31 Hopkins Plaza
Baltimore, MD 21201
410-209-2722
Fax: 410-962-4270
Email: maria.boehringer@eeoc.gov
(Inactive)
ATTORNEY TO BE NOTICED

Melanie M. Peterson
U.S. Equal Employment Opportunity
Commission
Ste. 1300
801 Market Street
Philadelphia, PA 19107
215-440-2689
Fax: 215-440-2848
Email: melanie.peterson@eeoc.gov
ATTORNEY TO BE NOTICED

Jeffrey A. Stern
U.S. Equal Employment Opportunity
Commission – Cleveland
3001 AJC Federal Bldg.

1240 East Ninth Street
Cleveland, OH 44199
216-522-7458
Fax: 216-522-7430
Email: Jeffrey.Stern@eeoc.gov
ATTORNEY TO BE NOTICED

V.

Defendant

Kaplan Higher Education Corporation

represented by **Alexandre S. Drummond**
Seyfarth Shaw – Atlanta
Ste. 2500
1075 Peachtree Street, NE
Atlanta, GA 30309
404-881-5467
Fax: 404-892-7056
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David B. Ross
Seyfarth Shaw – New York
620 Eighth Avenue
New York, NY 10018
212-218-5511
Fax: 917-344-1239
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pamela Q. Devata
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606
312-460-5882
Fax: 312-460-7000
Email: pdevata@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

B. Jason Rossiter
INVALID ADDRESS – Zashin & Rich
4th Floor
950 Main Avenue
Cleveland, OH 44113
216-696-4441
Fax: 216-696-1618
Email: bjr@zrlaw.com (*Inactive*)
ATTORNEY TO BE NOTICED

Brandon L. Spurlock
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606
312-460-5965
Fax: 312-460-7965
ATTORNEY TO BE NOTICED

David J. Rowland
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606

312-460-5965
Fax: 312-460-7965
Email: drowland@seyfarth.com
ATTORNEY TO BE NOTICED

Gerald L. Maatman , Jr.
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606
312-460-5965
Fax: 312-460-7000
Email: gmaatman@seyfarth.com
ATTORNEY TO BE NOTICED

Jennifer A. Riley
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606
312-460-5672
Fax: 312-460-7642
Email: jriley@seyfarth.com
ATTORNEY TO BE NOTICED

Stephen S. Zashin
Zashin & Rich – Cleveland
4th Floor
950 Main Avenue
Cleveland, OH 44113
216-696-4441
Fax: 216-696-1618
Email: ssz@zrlaw.com
ATTORNEY TO BE NOTICED

Steven J. Pearlman
Seyfarth Shaw – Chicago
Ste. 8000
233 South Wacker Drive
Chicago, IL 60606
312-460-5965
Fax: 312-460-7965
ATTORNEY TO BE NOTICED

Defendant

Kaplan, Inc.

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

David B. Ross
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pamela Q. Devata
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

B. Jason Rossiter
(See above for address)
ATTORNEY TO BE NOTICED

David J. Rowland
(See above for address)
ATTORNEY TO BE NOTICED

Gerald L. Maatman , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Jennifer A. Riley
(See above for address)
ATTORNEY TO BE NOTICED

Stephen S. Zashin
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Iowa College Acquisition Corporation
doing business as
Kaplan University

represented by **Pamela Q. Devata**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

B. Jason Rossiter
(See above for address)
ATTORNEY TO BE NOTICED

David J. Rowland
(See above for address)
ATTORNEY TO BE NOTICED

Gerald L. Maatman , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Jennifer A. Riley
(See above for address)
ATTORNEY TO BE NOTICED

Stephen S. Zashin
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/21/2010	<u>1</u>	Complaint against Kaplan Higher Education Corporation.. Filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet) (Stern, Jeffrey) (Entered: 12/21/2010)
12/21/2010		Judge Patricia A. Gaughan assigned to case. (C,B) (Entered: 12/21/2010)
12/21/2010	<u>2</u>	Attorney Appearance by John A. Henderson, Jr. filed by on behalf of Equal Employment Opportunity Commission. (Henderson, Jr., John) (Entered: 12/21/2010)
12/21/2010	<u>3</u>	Attorney Appearance by Maria K. Boehringer filed by on behalf of Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/21/2010)
12/21/2010		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge McHargh. (C,B) (Entered: 12/21/2010)
12/21/2010	<u>4</u>	Magistrate Consent Form issued. No summons provided, no summons issued. (C,B) (Entered: 12/21/2010)
01/04/2011	<u>5</u>	Case Management Conference Scheduling Order with case management conference held on 2/9/2011 at 9:00 a.m. to be held telephonically by Hon. Patricia A.

		Gaughan. Approved by Judge Patricia A. Gaughan on 1/04/11. (D,MB) (Entered: 01/04/2011)
01/24/2011	<u>6</u>	Waiver of Service Returned Executed by Equal Employment Opportunity Commission. Kaplan Higher Education Corporation waiver sent on 1/4/2011, answer due 3/7/2011. filed on behalf of Equal Employment Opportunity Commission (Stern, Jeffrey) (Entered: 01/24/2011)
01/24/2011		Order [non-document]: At Plaintiff's request, Case management conference set 2/9/11 is continued to 3/9/11 at 09:00 AM to allow time for the Defendant to file an answer. Case management conference will be conducted by telephone with the Court initiating the call. Judge Patricia A. Gaughan on 1/24/11. (LC,S) (Entered: 01/25/2011)
02/04/2011	<u>7</u>	Motion for attorney Gerald L. Maatman, Jr. to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4535800, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit Affidavit & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 2/7/2011 (G,CA). (Entered: 02/04/2011)
02/04/2011	<u>8</u>	Motion for attorney Steven J. Pearlman to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4535857, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit Affidavit & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 2/7/2011 (G,CA). (Entered: 02/04/2011)
02/04/2011	<u>9</u>	Motion for attorney Jennifer A. Riley to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4535872, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit Affidavit & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 2/7/2011 (G,CA). (Entered: 02/04/2011)
02/04/2011	<u>10</u>	Motion for attorney Brandon L. Spurlock to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4535893, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit Affidavit & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 2/7/2011 (G,CA). (Entered: 02/04/2011)
02/07/2011		Order [non-document]: Case Management Conference set 3/09/11 at 9:00 a.m. has been change to 8:45 a.m. due to a scheduling conflict. Case Management Conference will be conducted by telephone with the Court initiating the call. Judge Patricia A. Gaughan on 2/7/11. (LC,S) (Entered: 02/07/2011)
02/07/2011		Order [non-document]: Defendant's Motion for Attorney Gerald L. Maatman, Jr. to Appear Pro Hac Vice is Granted. Judge Patricia A. Gaughan on 2/4/11. (Related Doc # <u>7</u>) (LC,S) (Entered: 02/07/2011)
02/07/2011		Order [non-document]: Defendant's Motion for Attorney Steven J. Pearlman to Appear Pro Hac Vice is Granted. Judge Patricia A. Gaughan on 2/4/11. (Related Doc # <u>8</u>) (LC,S) (Entered: 02/07/2011)
02/07/2011		Order [non-document]: Defendant's Motion for Attorney Jennifer A. Riley to Appear Pro Hac Vice is Granted. Judge Patricia A. Gaughan on 2/4/11. (Related Doc # <u>9</u>) (LC,S) (Entered: 02/07/2011)
02/07/2011		Order [non-document]: Defendant's Motion for Attorney Brandon L. Spurlock to Appear Pro Hac Vice is Granted. Judge Patricia A. Gaughan on 2/4/11. (Related Doc # <u>10</u>) (LC,S) (Entered: 02/07/2011)
03/04/2011	<u>11</u>	Report of Parties' Planning Meeting , parties do not consent to this case being assigned to the magistrate judge, filed by Equal Employment Opportunity Commission. Related document(s) <u>5</u> .,(Stern, Jeffrey) (Entered: 03/04/2011)
03/04/2011	<u>12</u>	Partial Motion to dismiss <i>complaint</i> filed by Defendant Kaplan Higher Education Corporation. Related document(s) <u>1</u> . (Maatman, Gerald) Modified text 3/7/2011 (C,KA). (Entered: 03/04/2011)
03/04/2011	<u>13</u>	Brief <i>in support of motion for partial dismissal of complaint</i> filed by Kaplan Higher Education Corporation. Related document(s) <u>12</u> , <u>1</u> . (Attachments: # <u>1</u> Exhibit 1

		(Charge of Discrimination)) (Maatman, Gerald) Modified text 3/7/2011 (C,KA). (Entered: 03/04/2011)
03/04/2011	<u>14</u>	Corporate Disclosure Statement filed by Kaplan Higher Education Corporation. (Maatman, Gerald) (Entered: 03/04/2011)
03/04/2011	<u>15</u>	Answer to <u>1</u> Complaint filed by Kaplan Higher Education Corporation. (Maatman, Gerald) (Entered: 03/04/2011)
03/11/2011	<u>16</u>	Case Management Order: Case Management Conference was held on 3/9/11. Case is assigned to the complex track. Case is suitable for ECF. Case is not suitable for ADR at this time by may be after discovery. Non-expert discovery as to Phase 1 regarding liability shall be completed on or before 10/3/11. (By agreement of the parties, the individuals who are deposed during phase 1 may be questioned on the issue of damages.) Expert reports shall be exchanged on or before 11/1/11 for party with burden of proof & 12/1/11 for Rebuttal and Expert Discovery shall be completed on or before 1/19/12. Pleadings shall be amended without leave of Court and new parties shall be joined on or before 6/1/11. Dispositive Motions shall be filed on or before 2/16/12. Status Conference by telephone is set 5/16/11 at 09:00 AM. Judge Patricia A. Gaughan on 3/9/11. (LC,S) Time: 30 mins. (Entered: 03/11/2011)
03/24/2011	<u>17</u>	Motion for attorney Pamela Q. Devata to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4617474, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Affidavit Affidavit in Support of Motion for Admission Pro Hac Vice & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 3/25/2011 (G,CA). (Entered: 03/24/2011)
03/28/2011		Order [non-document] Defendant's Motion to admit pro hac vice attorney Pamela Q. Devata as co-counsel for Defendant Kaplan Higher Education Corporation is Granted. Judge Patricia A. Gaughan on 3/28/11. (Related Doc # <u>17</u>) (LC,S). (Entered: 03/28/2011)
04/06/2011	<u>18</u>	Opposition to <u>12</u> Motion to dismiss (<i>partial of complaint</i>) with <i>Track and Page Certification, Tables of Contents and Authorities and Statement of Issues</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index)(Stern, Jeffrey) (Entered: 04/06/2011)
04/21/2011	<u>19</u>	Reply to response to <u>12</u> Motion to dismiss (<i>partial of complaint</i>) / <i>Defendant's Reply in Support of its Partial Motion to Dismiss the Complaint</i> filed by Kaplan Higher Education Corporation. (Maatman, Gerald) (Entered: 04/21/2011)
04/22/2011	<u>20</u>	Motion to compel discovery / <i>Defendant's Motion to Compel Rule 30(b)(6) Deposition</i> filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Brief in Support Defendant's Memorandum of Law in Support of its Motion to Compel Rule 30(b)(6) Deposition, # <u>2</u> Pleading Declaration of Gerald L. Maatman, Jr. in Support of Defendant's Motion to Compel Rule 30(b)(6) Deposition, # <u>3</u> Exhibit Exhibit A Kaplans Rule 30(b)(6) Notice Of Deposition Notice To The EEOC, # <u>4</u> Exhibit Exhibit B E-Mail Dated April 8, 2011, From Jeffrey Stern, Counsel For The EEOC, To Gerald L. Maatman, Jr., Counsel For Defendant Kaplan, # <u>5</u> Exhibit Exhibit C Letter Dated April 13, 2011, From Defendants Counsel, Gerald L. Maatman, Jr., to Jeffrey Stern, Counsel For Plaintiff EEOC)(Maatman, Gerald) (Entered: 04/22/2011)
04/27/2011	<u>21</u>	<i>Notice of Supplemental Authority in Support of its Motion to Compel Rule 30(b)(b) Deposition</i> filed by Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit A - Order Dated April 25, 2011, In EEOC v. Sterling Jewelers Inc.)Related document(s) <u>20</u> .(Maatman, Gerald) (Entered: 04/27/2011)
05/05/2011	<u>22</u>	Motion for leave to <i>File Response Memorandum</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Brief in Support EEOC Response Memorandum Opposing Defendant's Partial Motion to Dismiss)(Stern, Jeffrey) Modified on 5/9/2011 (C,KA). (Entered: 05/05/2011)
05/05/2011	<u>23</u>	Motion for oral argument <i>on Defendant's Partial Motion to Dismiss</i> filed by Plaintiff Equal Employment Opportunity Commission. Related document(s) <u>12</u> . (Stern, Jeffrey) (Entered: 05/05/2011)
05/06/2011	<u>24</u>	Defendant's Response to the EEOC's Motion for Leave to File Response Memorandum <i>in Opposition to Defendant's Partial Motion to Dismiss</i> filed by Kaplan Higher

		Education Corporation. Related document(s) <u>22</u> . (Maatman, Gerald) (Entered: 05/06/2011)
05/09/2011	<u>25</u>	Opposition to <u>20</u> Motion to compel discovery / <i>Defendant's Motion to Compel Rule 30(b)(6) Deposition</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Composite Exhibit 1)(Boehringer, Maria) (Entered: 05/09/2011)
05/10/2011		Order [non-document]: EEOC's Motion for leave to file response memorandum in opposition to Defendant's partial motion to dismiss is DENIED. No new arguments were raised in the reply brief. Judge Patricia A. Gaughan on 5/9/11. (LC,S) (Related Doc # <u>22</u>) (Entered: 05/10/2011)
05/10/2011		Order [non-document]: EEOC's Motion requesting oral argument on Defendant's partial motion to dismiss is DENIED. Judge Patricia A. Gaughan on 5/9/11. (LC,S) (Related Doc # <u>23</u>) (Entered: 05/10/2011)
05/10/2011	<u>26</u>	Memorandum Opinion and Order: Defendant's Partial Motion to Dismiss the Complaint is GRANTED. Judge Patricia A. Gaughan on 5/9/11. (LC,S) re <u>12</u> (Entered: 05/10/2011)
05/16/2011		Minutes/Order [non-document]: Status Conference was held. Telephonic Status Conference is set 8/17/2011 at 09:00 AM. Judge Patricia A. Gaughan on 5/16/11. (LC,S) Time: 30 mins. (Entered: 05/17/2011)
05/18/2011	<u>27</u>	Motion for attorney David J. Rowland to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4712957, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Affidavit of David J. Rowland & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 5/18/2011 (G,CA). (Entered: 05/18/2011)
05/18/2011	<u>28</u>	Reply to response to <u>20</u> Motion to compel discovery / <i>Defendant's Motion to Compel Rule 30(b)(6) Deposition Defendant's Reply in Support of its Motion to Compel Rule 30(b)(6) Deposition</i> filed by Kaplan Higher Education Corporation. (Maatman, Gerald) (Entered: 05/18/2011)
05/19/2011	<u>29</u>	<i>Notice of Supplemental Authority in Opposition to Motion to Compel Rule 30(b)(6) Deposition</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Composite Exhibit 1)Related document(s) <u>25</u> .(Boehringer, Maria) (Entered: 05/19/2011)
05/19/2011		Order [non-document]: Defendant's Motion to Admit Pro Hac Vice attorney David J. Rowland is Granted. Judge Patricia A. Gaughan on 5/18/11. (Related Doc # <u>27</u>) (LC,S) (Entered: 05/19/2011)
05/23/2011	<u>30</u>	Notice of Service of EEOC's Responses to Defendant's Request for Production and First Interrogatories filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 05/23/2011)
05/27/2011	<u>31</u>	Memorandum Opinion and Order: Defendant's Motion to Compel Rule 30(b)(6) Deposition is GRANTED. Plaintiff may assert applicable privileges during the deposition. Judge Patricia A. Gaughan on 5/26/11. (LC,S) re <u>20</u> (Entered: 05/27/2011)
06/10/2011	<u>32</u>	Motion for attorney Alexandre S. Drummond to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-4754084, filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Affidavit of Alex S. Drummond & Certificate of Good Standing)(Zashin, Stephen) Modified exhibit text on 6/13/2011 (G,CA). (Entered: 06/10/2011)
06/13/2011		Order [non-document] Defendant's Motion to Admit Pro Hac Vice Attorney Alex S. Drummond as co-counsel for Kaplan Higher Education Corporation is Granted. Judge Patricia A. Gaughan on 6/13/11. (Related Doc # <u>32</u>) (LC,S) (Entered: 06/13/2011)
07/19/2011	<u>33</u>	Motion for protective order filed by Defendant Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Brief in Support (Defendant's Memorandum of Law in Support of its Motion for Entry of a Protective Order, # <u>2</u> Affidavit (Declaration of Gerald L. Maatman, Jr. in support of Defendant's Motion for Entry of a Protective Order, # <u>3</u> Exhibit A to Maatman Declaration – EEOC's Notice of Subpoenas to Hireright and

		GIS (dated May 12, 2011), # <u>4</u> Exhibit B to Maatman Declaration – Letter from Gerald L. Maatman, Jr., Counsel for Kaplan, to Jeffrey Stern, Counsel for EEOC (dated May 18, 2011), # <u>5</u> Exhibit C to Maatman Declaration – E–mail from Paul Sheldon to Jeffrey Stern, Counsel for EEOC, and Pamela Devata, Counsel for Kaplan (dated June 16, 2011))(Maatman, Gerald) (Entered: 07/19/2011)
08/05/2011	<u>34</u>	Opposition to <u>33</u> Motion for protective order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit Exhibit 1: Declaration of Jeffrey A. Stern, # <u>2</u> Exhibit Exhibit 1/Attachment A: Email Confirmation)(Boehringer, Maria) (Entered: 08/05/2011)
08/11/2011	<u>35</u>	Reply to response to <u>33</u> Motion for protective order (<i>In Support of Its Motion for Entry of a Protective Order</i>) filed by Kaplan Higher Education Corporation. (Maatman, Gerald) (Entered: 08/11/2011)
08/16/2011	<u>36</u>	Order: Accordingly, given the Sixth Circuit decisions cited above and the broad nature of discovery contemplated under the Rule 26 of the Federal Rules of Civil Procedure, the defendant's Motion for Entry of a Protective Order, seeking to bar the plaintiff from requesting documents predating May 2, 2008 (Doc. <u>33</u>), is DENIED. Judge Patricia A. Gaughan on 8/16/11. (LC,S) (Entered: 08/16/2011)
08/17/2011		Minutes/Order: Status Conference was held. Telephonic Status Conference is set 9/27/2011 at 09:00 AM. Judge Patricia A. Gaughan on 8/17/11. (LC,S) Time: 30 mins. (Entered: 08/19/2011)
08/30/2011	<u>37</u>	Motion to Modify Case Management Order filed by Plaintiff Equal Employment Opportunity Commission. Related document(s) <u>16</u> , <u>36</u> . (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Declaration of Jeffrey A. Stern)(Stern, Jeffrey) Modified text on 8/31/2011 (B,B). (Entered: 08/30/2011)
08/31/2011	<u>38</u>	Declaration <i>in Support of Motion to Modify Case Management Order, Signed</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>37</u> . (Stern, Jeffrey) Modified text on 9/1/2011 (B,B). (Entered: 08/31/2011)
09/08/2011	<u>39</u>	Proposed Stipulation <i>Confidentiality and Order</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Service Certificate)(Stern, Jeffrey) (Entered: 09/08/2011)
09/12/2011	<u>40</u>	Confidentiality Stipulation and Order. Judge Patricia A. Gaughan on 9/9/11. (LC,S) re <u>39</u> (Entered: 09/12/2011)
09/15/2011	<u>41</u>	Opposition to <u>37</u> Motion Modify to Case Management Order filed by Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Declaration of Gerald L. Maatman, Jr., in Opposition to EEOC's Motion to Modify Case Management Order, # <u>2</u> Exhibit 1 to Maatman's Declaration – EEOC's First Interrogatories and Request for Production to Kaplan (dated April 29, 2011), # <u>3</u> Exhibit 2 to Maatman's Declaration – EEOC's Notice Before Service of Subpoenas (dated May 12, 2011), # <u>4</u> Exhibit 3 to Maatman's Declaration – Letter to the EEOC (dated May 17, 2011), # <u>5</u> Exhibit 4 to Maatman's Declaration – EEOC's Notice Before Service of Subpoenas (dated August 29, 2011), # <u>6</u> Exhibit 5 to Maatman's Declaration – EEOC's Notice of Depositions (dated August 31, 2011), # <u>7</u> Exhibit 6 to Maatman's Declaration – EEOC's Third Notice Before Service of Subpoenas (dated September 6, 2011))(Maatman, Gerald) (Entered: 09/15/2011)
09/20/2011	<u>42</u>	Attorney Appearance by Melanie M. Peterson filed by on behalf of Equal Employment Opportunity Commission. (Peterson, Melanie) (Entered: 09/20/2011)
09/26/2011	<u>43</u>	UNSIGNEDReply to response to <u>37</u> Motion Modify to Case Management Order filed by Equal Employment Opportunity Commission. (Boehringer, Maria) Modified on 9/27/2011 (C,KA). (Entered: 09/26/2011)
09/26/2011	<u>44</u>	UNSIGNEDReply to response to <u>37</u> Motion Modify to Case Management Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1 (Stern Supplemental Declaration), # <u>2</u> Exhibit 2 (Defendant's Initial Disclosures), # <u>3</u> Exhibit 3 (Defendant's Discovery Responses), # <u>4</u> Exhibit 4 (August Status Report), # <u>5</u> Exhibit 5 (Drummond Email 8/24/11), # <u>6</u> Exhibit 6 (Stern Email 7/14/11), # <u>7</u> Exhibit 7 (September Status Report), # <u>8</u> Exhibit 10 (Stern Email 7/7/11), # <u>9</u> Exhibit 11 (Stern Email 8/22/11), # <u>10</u> Exhibit 12 (GIS Email 8/22/11), # <u>11</u> Exhibit 13 (Stern Email

		9/2/11), # <u>12</u> Exhibit 14 (Maatman Email 9/4/11), # <u>13</u> Exhibit 15 (Stern Email 9/6/11), # <u>14</u> Exhibit 16 (Stern Email 9/8/11), # <u>15</u> Exhibit 17 (GIS Email 9/6/11), # <u>16</u> Exhibit 18 (Stern Email 9/7/11), # <u>17</u> Exhibit 19 (Stern/Drummond Email 9/8/11), # <u>18</u> Exhibit 20 (Stern Email 8/31/11)(Boehringer, Maria) Modified on 9/27/2011 (C,KA). (Entered: 09/26/2011)
09/27/2011	<u>45</u>	UNSIGNED Supplement /Correction to Reply Memorandum in Support of EEOC's Motion to Modify Case Management Order to <u>44</u> Reply filed by Equal Employment Opportunity Commission. (Boehringer, Maria) Modified on 9/27/2011 (C,KA). (Entered: 09/27/2011)
09/27/2011	<u>46</u>	UNSIGNED Notice of Filing Exhibit 21 in Support of EEOC Reply re: Motion to Modify Case Management Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 21 (29 C.F.R. Sec. 1607.4, EEOC Uniform Guidelines on Employee Selection Procedures/UGESP))Related document(s) <u>44</u> .(Boehringer, Maria) Modified on 9/27/2011 (C,KA). (Entered: 09/27/2011)
09/27/2011		Minutes/Order [non-document]: Status Conference was held. Telephonic Status Conference is set 11/28/2011 at 09:00 a.m. Judge Patricia A. Gaughan on 9/27/11. (LC,S) (Entered: 09/28/2011)
09/27/2011		Order [non-document]: EEOC's Motion to Modify Case Management Order is Granted. Non-expert discovery deadline is extended to 2/3/12. Expert report for the party with the burden of proof is now due 3/1/12. Rebuttal report is due 4/1/12. Expert discovery deadline is 5/1/12. Dispositive motions are due 6/1/12. Judge Patricia A. Gaughan on 9/27/11. (LC,S) (Related Doc # <u>37</u>) (Entered: 09/28/2011)
11/28/2011		Minutes/Order [non-document]: Status Conference was held. Telephonic Status Conference is set 1/4/2012 at 09:00 a.m. Judge Patricia A. Gaughan on 11/28/11. (LC,S) Time: 30 mins. (Entered: 11/28/2011)
12/22/2011	<u>47</u>	Motion to amend complaint filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1 Proposed Amended Complaint, # <u>2</u> Brief in Support , # <u>3</u> Exhibit 1 Seelye transcript abstract, # <u>4</u> Exhibit 2 Kaplan Press Release, # <u>5</u> Exhibit 3 Ohio Kaplan Corporation Details, # <u>6</u> Exhibit 4 Delaware Kaplan Detail Information, # <u>7</u> Exhibit 5 Counsel correspondence)(Stern, Jeffrey) Modified text 3/1/2012 (C,KA). (Entered: 12/22/2011)
01/04/2012		Minutes/Order [non-document]: Status Conference was held. Brief in Opposition to the pending Motion for Leave to Amend Complaint is due 1/13/12. Telephonic Status Conference is set 2/2/12 at 8:45 a.m. Judge Patricia A. Gaughan on 1/4/12. (LC,S) Time: 30 mins. (Entered: 01/09/2012)
01/13/2012	<u>48</u>	Opposition to <u>47</u> Motion to amend complaint (<i>Defendant's Response In Opposition to Plaintiff's motion for Leave to Amend Its Complaint</i>) filed by Kaplan Higher Education Corporation. (Attachments: # <u>1</u> Exhibit A (Declaration of Christopher Paetsch), # <u>2</u> Exhibit B (Howard Rogoff Deposition), # <u>3</u> Exhibit C (Declaration of Gerald L. Maatman, Jr.))(Riley, Jennifer) Opposition filed by attorney Gerald L. Maatman, Jr. however login inadvertently used to file is assigned to attorney Jennifer A. Riley. Modified text on 1/13/2012 (M,TJ). (Entered: 01/13/2012)
01/17/2012	<u>49</u>	Motion to modify Case Management Order filed by Plaintiff Equal Employment Opportunity Commission. (Boehringer, Maria) Modified text 1/18/2012 (C,KA). (Entered: 01/17/2012)
01/17/2012	<u>50</u>	Memorandum of Law in Support of Motion to Modify Case Management Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Brief in Support Memorandum of Law)Related document(s) <u>49</u> .(Boehringer, Maria) Modified text 1/18/2012 (C,KA). (Entered: 01/17/2012)
01/17/2012	<u>51</u>	Notice of Filing Declaration of Jeffrey A. Stern in Support of Motion to Modify Case Management Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Jeffrey A. Stern, # <u>2</u> Exhibit 1 – email, # <u>3</u> Exhibit 2 – email, # <u>4</u> Exhibit 3 – email, # <u>5</u> Exhibit 4 – email, # <u>6</u> Exhibit 5 – letter, # <u>7</u> Exhibit 6 – letter, # <u>8</u> Exhibit 7 – letter, # <u>9</u> Exhibit 8 – email, # <u>10</u> Exhibit 9 – letter, # <u>11</u> Exhibit 10 – email, # <u>12</u> Exhibit 11 – email, # <u>13</u> Exhibit 12 – email, # <u>14</u> Exhibit 13 – responses/objections to interrogatories, # <u>15</u> Exhibit 14 – responses/objections to

		interrogatories)Related document(s) <u>49</u> .(Boehringer, Maria) Modified text 1/18/2012 (C,KA). (Entered: 01/17/2012)
01/19/2012	<u>52</u>	Notice of Filing Joint Stipulation for Entry of Modified Case Management Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Proposed Order Joint Stipulation for Entry of Modified Case Management Order)Related document(s) <u>49</u> .(Boehringer, Maria) (Entered: 01/19/2012)
01/20/2012	<u>53</u>	Motion for extension of Time to File Reply in Support of EEOC's Motion to Amend Complaint until January 27, 2012 filed by Plaintiff Equal Employment Opportunity Commission. Related document(s) <u>47</u> . (Boehringer, Maria) (Entered: 01/20/2012)
01/20/2012		Order [non-document]: EEOC's Unopposed Motion for extension of Time to File Reply in Support of EEOC's Motion to Amend Complaint is Granted to January 27, 2012. Judge Patricia A. Gaughan on 1/20/12. (LC,S) re <u>53</u> (Entered: 01/23/2012)
01/20/2012		Order [non-document]: In light of the modified Case Management Order, Telephonic Status Conference is changed from 2/2/12 to 4/5/12 at 9:00 a.m. Judge Patricia A. Gaughan on 1/20/12. (LC,S) (Entered: 01/23/2012)
01/20/2012		Order [non-document]: EEOC's Motion to Modify Case Management Order is Withdrawn. Judge Patricia A. Gaughan on 1/20/12. (LC,S) re <u>49</u> Modified on 1/23/2012 (LC,S). (Entered: 01/23/2012)
01/20/2012	<u>54</u>	Order and Joint Stipulation for Entry of Modified Case Management Order: 1. Based on the progress of Phase I fact discovery conducted thus far, the parties stipulate to entry of a modified Case Management Order as follows: a. an extension of Phase I fact discovery from 2/3/12 to 4/3/12; b. an extension of the deadline for the parties to exchange expert reports as to their respective burdens of proof from 3/1/12 to 5/1/12; c. an extension of the deadline for exchange of rebuttal expert reports from 4/1/12 to 6/1/12; d. an extension of the deadline to conduct expert discovery from 5/1/12 to 7/2/12; and e. an extension of the deadline to file dispositive motionsfrom 6/1/12 to 8/1/12. Judge Patricia A. Gaughan on 1/20/12. (LC,S) re <u>52</u> (Entered: 01/23/2012)
01/27/2012	<u>55</u>	Reply to response to <u>47 Motion</u> to amend complaint filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Kaplan Complaint (Iowa College Acquisition Corporation d/b/a Kaplan University, et al. v. Jonathan David, et al.), # <u>2</u> Exhibit DOJ Settlement Agreement, # <u>3</u> Exhibit United States Notice of Intervention, # <u>4</u> Exhibit Seelye Deposition Excerpt, # <u>5</u> Exhibit Seelye Deposition Exhibits (1 & 2), # <u>6</u> Exhibit Rogoff Deposition Excerpt, # <u>7</u> Exhibit Corser Deposition Excerpt)(Boehringer, Maria) (Entered: 01/27/2012)
01/27/2012	<u>56</u>	Supplement to <u>47 Motion</u> to amend complaint filed by Equal Employment Opportunity Commission. Related document(s) <u>47</u> . (Boehringer, Maria) (Entered: 01/27/2012)
02/29/2012	<u>57</u>	Memorandum Opinion and Order: The EEOC's motion for leave to file an amended complaint naming Kaplan, Inc. and ICAC as defendants is granted. Judge Patricia A. Gaughan on 2/29/12. (LC,S) re <u>47</u> (Entered: 02/29/2012)
03/14/2012	<u>58</u>	Amended complaint against All Defendants and adding new party defendant(s) Kaplan, Inc., Iowa College Acquisition Corporation. Filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 03/14/2012)
04/02/2012	<u>59</u>	Answer to <u>58</u> Amended complaint filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 04/02/2012)
04/05/2012		Minutes of proceedings [non-document]Status Conference was held. Defendant's motion to compel is due 4/06/12. Brief in opposition is due 4/12/12. Reply brief is due 4/16/12. Telephonic Status Conference is set 6/05/12 at 9:15 a.m. with the Court initiating the call. Judge Patricia A. Gaughan 4/05/12 Time: 30 mins. (D,MB) (Entered: 04/05/2012)
04/05/2012	<u>60</u>	EEOC's Notice of Filing Defendant's March 2011 Notice of 30(b)(6) Deposition and Defendant's March 2012 Amended Notice of 30(b)(6) Deposition filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Defendant's March 2011 Notice of 30(b)(6) Deposition, # <u>2</u> Exhibit Defendant's March 2012 Amended

		Notice of 30(b)(6) Deposition)(Boehringer, Maria) (Entered: 04/05/2012)
04/06/2012	<u>61</u>	Motion to compel discovery (<i>Defendants' Motion to Compel Production of Documents and Information and Rule 30(b)(6) Witness</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 04/06/2012)
04/06/2012	<u>62</u>	Affidavit/Declaration of <i>Gerald L. Maatman, Jr., in Support of Motion to Compel</i> filed by All Defendants. Related document(s) <u>61</u> . (Attachments: # <u>1</u> Exhibit 1 – Kaplans Notice of Rule 30(b)(6) Deposition, # <u>2</u> Exhibit 2 – OPM Letter dated January 18, 2012, # <u>3</u> Exhibit 3 – OPM Letter dated January 27, 2012, # <u>4</u> Exhibit 4 – Introduction of Credentialing, Suitability, and Security Clearance Decision–Making Guide dated January 14, 2008, # <u>5</u> Exhibit 5 – Kaplans Counsels February 17, 2012, # <u>6</u> Exhibit 6 – EEOC Handbook, # <u>7</u> Exhibit 7 – Kaplans Counsels March 23, 2012, # <u>8</u> Exhibit 8 – Email from EEOCs Counsel, Jeffrey Stern, to Kaplans Counsel dated March 27, 2012, # <u>9</u> Exhibit 9 – Email from Kaplans Counsel, David Rowland, to EEOCs Counsel dated March 27, 2012, # <u>10</u> Exhibit 10 – Email from EEOCs Counsel, Jeffrey Stern, to Kaplans Counsel dated April 2, 2012, # <u>11</u> Exhibit 11 – August 3, 2010 Letter from Brian Shelton to Patricia Anderson Pryor, # <u>12</u> Exhibit 12 – Kaplans July 10, 2011 Letter to Jeffrey Stern and Maria Boehringer, EEOC's Counsel, # <u>13</u> Exhibit 13 – Email from EEOCs Counsel, Jeffrey Stern, to Kaplans Counsel dated September 9, 2011, # <u>14</u> Exhibit 14 – Kaplans March 21, 2012 Letter to Jeffrey Stern, EEOC's Counsel, # <u>15</u> Exhibit 15 – Deposition Transcript of Felandis Maurice Mosley dated March 30, 2012)(Maatman, Gerald) (Entered: 04/06/2012)
04/06/2012	<u>63</u>	Brief (<i>Memorandum of Law in Support of Motion to Compel</i>) filed by All Defendants. Related document(s) <u>61</u> , <u>62</u> . (Attachments: # <u>1</u> Exhibit A – Defendants First Set of Requests for Production of Documents, # <u>2</u> Exhibit B – Defendants First Set of Interrogatories to Plaintiff, # <u>3</u> Exhibit C – EEOCs Response to Defendants First Request for Production of Documents, # <u>4</u> Exhibit D – EEOC's Answers to Defendants First Set of Interrogatories to Plaintiff, # <u>5</u> Exhibit E – EEOCs Supplemental Responses to Defendants First Request for Production, # <u>6</u> Exhibit F – EEOCs Supplemental Answers to Defendants First Set of Interrogatories, # <u>7</u> Exhibit G – Amended Notice of Rule 30(b)(6) Deposition) (Maatman, Gerald) (Entered: 04/06/2012)
04/10/2012	<u>64</u>	Motion for extension of time until April 19, 2012 to to File Opposition to Defendant's Motion to Compel filed by Plaintiff Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 04/10/2012)
04/11/2012	<u>65</u>	Response to <u>64 Motion</u> for extension of time until April 19, 2012 to to File Opposition to Defendant's Motion to Compel filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 04/11/2012)
04/11/2012		Order [non–document]: EEOC's Motion for One Week Extension of Time to File Opposition to Defendant's Motion to Compel is DENIED. Judge Patricia A. Gaughan on 4/11/12. (LC,S) re <u>64</u> (Entered: 04/11/2012)
04/12/2012	<u>66</u>	Opposition to <u>61 Motion</u> to compel discovery (<i>Defendants' Motion to Compel Production of Documents and Information and Rule 30(b)(6) Witness</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Defendant's March 2011 Notice of 30(b)(6) Deposition, # <u>2</u> Exhibit Defendant's March 2012 Notice of 30(b)(6) Deposition, # <u>3</u> Exhibit EEOC Policy on Personnel Suitability and Investigations, # <u>4</u> Exhibit Position Designation of National Security and Public Trust Positions, # <u>5</u> Exhibit FIN 10–06, # <u>6</u> Exhibit Position Designation Record, # <u>7</u> Exhibit Position Designation System and Automated Tool, # <u>8</u> Exhibit Guide To Senior Executive Service Qualifications, # <u>9</u> Exhibit 30(b)(6) Deposition Felandis M. Mosley, 3/30/12, # <u>10</u> Exhibit EEOC Letter to OPM, 3/8/11, # <u>11</u> Exhibit Declaration of Jeffrey Stern)(Boehringer, Maria) (Entered: 04/12/2012)
04/16/2012	<u>67</u>	Reply to response to <u>61 Motion</u> to compel discovery filed by All Defendants. (Maatman, Gerald) Modified text 4/18/2012 (C,KA). (Entered: 04/16/2012)
04/18/2012	<u>68</u>	Memorandum Opinion and Order: Kaplan's Motion to Compel Production of Documents and Information and Rule 30(b)(6) Witness is granted. The EEOC must produce a Rule 30(b)(6) designee to testify as to the EEOC's position descriptions and

		how the position descriptions are assigned a risk level designation as requested in Topic 10. In addition, the EEOC must disclose to Kaplan information sufficient to identify the individuals the EEOC claims have been aggrieved by Kaplan's policies in this case. Judge Patricia A. Gaughan on 4/18/12. (LC,S) re <u>61</u> (Entered: 04/19/2012)
06/01/2012	<u>69</u>	Joint Proposed Stipulation <i>to Modify Case Management Order</i> filed by all parties. Related document(s) <u>54</u> .(Stern, Jeffrey) Modified text/filers 6/4/2012 (C,KA). (Entered: 06/01/2012)
06/05/2012		Minutes/Order [non-document]: Status Conference was held. Telephonic Status Conference is set 10/9/12 at 9:00 a.m. with the Court initiating the call. Judge Patricia A. Gaughan on 6/5/12. (LC,S) Time: 30 mins. (Entered: 06/06/2012)
06/05/2012	<u>70</u>	Order and Joint Stipulation for Entry of Modified Case Management Conference. Judge Patricia A. Gaughan on 6/5/12. (LC,S) re <u>69</u> . (Entered: 06/06/2012)
09/06/2012	<u>71</u>	Motion for attorney David B. Ross to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0647-5569230, filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Attachments: # <u>1</u> Affidavit of David B. Ross)(Rossiter, Britt) (Entered: 09/06/2012)
09/06/2012	<u>72</u>	Motion to strike supplemental expert report of Dr. Kevin R. Murhpy and Motion to prohibit Dr. Murphy as witness filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc. (Maatman, Gerald). Modified text/added motion on 9/7/2012 (C,KA). (Entered: 09/06/2012)
09/06/2012	<u>73</u>	Affidavit/Declaration of <i>Gerald R. Maatman, Jr.</i> filed by All Defendants. Related document(s) <u>72</u> . (Maatman, Gerald) (Entered: 09/06/2012)
09/07/2012		Order [non-document]: Kaplan's Motion for admission pro hac vice of attorney David B. Ross is Granted. (Local Rule 5.1(c) requires that attorneys register for CM/ECF and file and receive all documents electronically. The CM/ECF registration form can be found at www.ohnd.uscourts.gov under Forms.) Judge Patricia A. Gaughan on 9/7/12. (Related Doc # <u>71</u>) (LC,S) (Entered: 09/10/2012)
09/24/2012	<u>74</u>	Opposition to 72 Motion to strike supplemental expert report of Dr. Kevin R. Murhpy Motion to prohibit Dr. Murphy as witness and <i>EEOC's Cross-Motion to Exclude Defendant From Offering Expert Opinion Regarding Job Relatedness and Business Necessity</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit EEOC's Expert Report of Dr. Kevin Murphy 5/1/12, # <u>2</u> Exhibit EEOC's Expert Report of Dr. Kevin Murphy 8/17/12, # <u>3</u> Exhibit Defendant's Expert Report of Dr. Michael Aamodt 8/27/12, # <u>4</u> Exhibit Defendant's Expert Report of Dr. Ali Saad 8/27/12, # <u>5</u> Exhibit EEOC's Supplemental Expert Report 9/5/12, # <u>6</u> Exhibit Uniform Guidelines on Selection Procedures, # <u>7</u> Exhibit SIOP Principles on Validation/Selection Procedures)(Boehringer, Maria) (Entered: 09/24/2012)
10/01/2012	<u>75</u>	Reply to response to <u>72 Motion</u> to strike supplemental expert report of Dr. Kevin R. Murhpy Motion to prohibit Dr. Murphy as witness filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Maatman, Gerald) (Entered: 10/01/2012)
10/05/2012	<u>76</u>	Order : Defendants' Motion to Strike Plaintiff's Supplemental Expert Report and to Prohibit Plaintiff from Using Dr. Kevin R. Murphy as a Witness with Respect to the Information and Opinions in the Supplemental Expert Report is denied. (Related Doc # <u>72</u>)Judge Patricia A. Gaughan on 10/05/12.(D,Ma) (Entered: 10/05/2012)
10/09/2012		Minutes/Order [non-document]: Status Conference was held. Dispositive Motion deadline is extended to 11/16/12. Settlement Conference is set 2/21/13 at 9:30 a.m. Judge Patricia A. Gaughan on 10/9/12. (LC,S) Time: 30 mins. (Entered: 10/09/2012)
11/01/2012	<u>77</u>	Unopposed Motion for extension of dispositive motions until November 21, 2012 filed by Plaintiff Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 11/01/2012)
11/02/2012		Order [non-document]: EEOC's Motion for Extension of Time to File Dispositive Motions is Granted to 11/21/12. Judge Patricia A. Gaughan on 11/2/12. (LC,S) re <u>77</u> (Entered: 11/02/2012)

11/15/2012	<u>78</u>	Motion for extension of dispositive motions until November 30, 2012 filed by Plaintiff Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 11/15/2012)
11/16/2012		Order [non-document]: EEOC's Motion for Extension of Time to File Dispositive Motions is GRANTED to 11/30/12. There will be no further extensions. Judge Patricia A. Gaughan on 11/16/12. (LC,S) re <u>78</u> (Entered: 11/16/2012)
11/30/2012	<u>79</u>	Motion for summary judgment filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Attachments: # <u>1</u> Brief in Support)(Maatman, Gerald) (Entered: 11/30/2012)
11/30/2012	<u>80</u>	Motion for partial summary judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Bouchard Deposition Excerpt, # <u>2</u> Exhibit Calfee Deposition Exhibit 1, # <u>3</u> Exhibit Calfee Deposition Exhibit 3, # <u>4</u> Exhibit Corser Deposition Excerpt, # <u>5</u> Exhibit Corser Deposition Exhibit 4, # <u>6</u> Exhibit Dervin Deposition Excerpt, # <u>7</u> Exhibit Dervin Deposition Exhibit 5, # <u>8</u> Exhibit Rogoff Deposition Excerpt, # <u>9</u> Exhibit Rogoff Deposition Exhibit 2, # <u>10</u> Exhibit Nichols Deposition Excerpt, # <u>11</u> Exhibit Seelye Deposition Excerpt, # <u>12</u> Exhibit Seelye Deposition Exhibits, # <u>13</u> Exhibit Van Patten Deposition Excerpt, # <u>14</u> Exhibit Van Patten Deposition Exhibit 1, # <u>15</u> Exhibit Defense Expert (Aamodt) Deposition, # <u>16</u> Exhibit Defense Expert (Aamodt) Deposition Excerpts)(Boehringer, Maria) (Attachment 2 replaced per order filed on 12/7/12) NEF regenerated on 12/7/12 (M,V). (Entered: 11/30/2012)
11/30/2012	<u>81</u>	Affidavit/Declaration of <i>Gerald L. Maatman, Jr. In Support of Defendants' Motion For Summary Judgment</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>79</u> . (Attachments: # <u>1</u> Exhibit 1–Paetsch Declaration, # <u>2</u> Exhibit 2–Seelye Deposition Excerpts, # <u>3</u> Exhibit 3–FSA Letter, # <u>4</u> Exhibit 4–Rogoff Declaration, # <u>5</u> Exhibit 5–Laury Deposition Excerpts, # <u>6</u> Exhibit 6–Smith Declaration, # <u>7</u> Exhibit 7–Statement of Work, # <u>8</u> Exhibit 8–Client Information Form, # <u>9</u> Exhibit 9–FSA Newsletter, # <u>10</u> Exhibit 10–Van Patten Deposition Excerpts, # <u>11</u> Exhibit 11–Van Patten E–Mail, # <u>12</u> Exhibit 12–GIS Spreadsheet Excerpt, # <u>13</u> Exhibit 13–OIG Final Inspection Report, # <u>14</u> Exhibit 14–Klier Deposition Excerpts, # <u>15</u> Exhibit 15–Mosley Deposition Excerpts, # <u>16</u> Exhibit 16–GIS Background Report, # <u>17</u> Exhibit 17–Smith Deposition Excerpts, # <u>18</u> Exhibit 18–Rogoff Deposition Excerpts, # <u>19</u> Exhibit 19–Spence Deposition Excerpts, # <u>20</u> Exhibit 20–Aamodt Expert Report, # <u>21</u> Exhibit 21–Van Patten E–Mail, # <u>22</u> Exhibit 22–Background–Credit Checks Documentation, # <u>23</u> Exhibit 23–Corser Deposition Excerpts, # <u>24</u> Exhibit 24–Dervin Deposition Excerpts, # <u>25</u> Exhibit 25–Murphy Expert Report, # <u>26</u> Exhibit 26–Saad Declaration & Expert Report, # <u>27</u> Exhibit 27–Murphy Deposition Excerpts, # <u>28</u> Exhibit 28–Saad Deposition Excerpts, # <u>29</u> Exhibit 29–Financial Review PowerPoint, # <u>30</u> Exhibit 30–EEOC Personnel Suitability Handbook, # <u>31</u> Exhibit 31–National Security Directive 63, # <u>32</u> Exhibit 32–Executive Order, # <u>33</u> Exhibit 33–Transcript of Oral Argument)(Maatman, Gerald) (Entered: 11/30/2012)
11/30/2012	<u>82</u>	Motion To Exclude The Reports And Testimony Of Dr. Kevin R. Murphy filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Attachments: # <u>1</u> Brief in Support Of Defendants' Motion To Exclude The Reports And Testimony Of Dr. Kevin R. Murphy)(Maatman, Gerald) (Entered: 11/30/2012)
11/30/2012	<u>83</u>	Affidavit/Declaration of <i>Gerald L. Maatman, Jr. In Support of Defendants' Motion To Exclude The Reports And Testimony of Dr. Kevin R. Murphy</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>82</u> . (Attachments: # <u>1</u> Exhibit 1 – Aug 17, 2012 Expert Report of Dr. Murphy, # <u>2</u> Exhibit 2 – Aug 27, 2012 Expert Report of Dr. Saad, # <u>3</u> Exhibit 3 – Aug 27, 2012 Expert Report of Dr. Aamodt, # <u>4</u> Exhibit 4 – Sept 5, 2012 Supplemental Expert Report of Dr. Murphy, # <u>5</u> Exhibit 5 – Relevant Portions of Transcript of Dep of Dr. Murphy Taken Sept 12 & Nov 8, # <u>6</u> Exhibit 6 – Sept 26, 2012 Letter from G. Maatman to J. Stern, # <u>7</u> Exhibit 7 – Dep of Ex.13 from Nov 8 Dep of Dr. Murphy, # <u>8</u> Exhibit 8 – Dep of Ex.14 from Nov 8 Dep of Dr. Murphy, # <u>9</u> Exhibit 9 – Dep of Ex.15 from Nov 8 Dep of Dr. Murphy, # <u>10</u> Exhibit 10 – Aug 23, 2012 E–Mail from J. Stern to M. Gagnon, # <u>11</u> Exhibit 11 – May 2012 Invoice from Landy Litigation)(Maatman, Gerald) (Entered: 11/30/2012)

11/30/2012	<u>84</u>	Affidavit/Declaration of <i>Ali Saad, Ph.D.</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>82</u> . (Maatman, Gerald) (Entered: 11/30/2012)
12/04/2012	<u>85</u>	Motion to seal <i>Jane Doe Exhibits</i> filed by Plaintiff Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/04/2012)
12/06/2012	<u>86</u>	Emergency Motion to withdraw document <i>Doc#80-2</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Corrected Exhibit 1 to Calfee Deposition)(Boehringer, Maria) (Entered: 12/06/2012)
12/06/2012	<u>87</u>	Notice of Filing Exhibit Key For Evidence Cited in EEOC's Motion for Summary Judgment filed by Equal Employment Opportunity Commission. Related document(s) <u>80</u> .(Boehringer, Maria) (Entered: 12/06/2012)
12/07/2012		Order [non-document]: EEOC'S Emergency Motion to Withdraw Doc. #80-2 From the Public Record and Substitute Corrected Exhibit is Granted. Judge Patricia A. Gaughan on 12/7/12. (LC,S) (Related Doc # <u>86</u>) Attachment 2 to document number <u>80</u> replaced on 12/7/12. (M,V). (Entered: 12/07/2012)
12/10/2012		Order [non-document]granting EEOC's Motion to file Jane Doe exhibits under seal Approved by Judge Patricia A. Gaughan on 12/10/2012.(Related Doc # <u>85</u>)(B,B) (Entered: 12/10/2012)
12/11/2012	<u>88</u>	SEALED Document: <i>Jane Doe Exhibits in Support of EEOC's Motion for Partial Summary Judgment</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>80</u> . (Boehringer, Maria) (Entered: 12/11/2012)
12/11/2012	<u>89</u>	Motion for extension of time until 12/21/12 to File Opposition to Defendant's Daubert Motion filed by Plaintiff Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/11/2012)
12/12/2012		Order [non-document] EEOC's motion for four-day extension of time to file opposition to Defendant's Daubert Motion is granted to 12/21/12. <u>89</u> Judge Patricia A. Gaughan on 12/12/12.(D,Ma) (Entered: 12/12/2012)
12/14/2012	<u>90</u>	Motion for Order Excluding Defendant's Expert Michael G. Aamodt filed by Plaintiff Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/14/2012)
12/21/2012	<u>91</u>	Opposition to <u>82</u> Motion To Exclude The Reports And Testimony Of Dr. Kevin R. Murphy filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/21/2012)
12/21/2012	<u>92</u>	Affidavit/Declaration of <i>Kevin R. Murphy</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>91</u> . (Attachments: # <u>1</u> Exhibit Exhibit A May 1st Murphy Report, # <u>2</u> Exhibit Exhibit B August 17 Murphy Report, # <u>3</u> Exhibit Exhibit C Murphy Supplemental Report September 5, # <u>4</u> Exhibit Exhibit D Summary, # <u>5</u> Exhibit Exhibit E Photo Compilation, # <u>6</u> Exhibit Exhibit F Article OSU 1999, # <u>7</u> Exhibit Exhibit G Output Displays)(Stern, Jeffrey) (Entered: 12/22/2012)
12/22/2012	<u>93</u>	Opposition to <u>82</u> Motion To Exclude The Reports And Testimony Of Dr. Kevin R. Murphy (<i>CORRECTED</i>) filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 12/22/2012)
12/22/2012	<u>94</u>	Affidavit/Declaration of <i>Jeffrey A. Stern</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>91</u> , <u>93</u> . (Attachments: # <u>1</u> Exhibit 1 Letter Kaplan to Stern, # <u>2</u> Exhibit 2 Federal Register Excerpts, # <u>3</u> Exhibit 3 Email Stern to Rowland, # <u>4</u> Exhibit 4 Email Rowland to Stern)(Stern, Jeffrey) (Entered: 12/22/2012)
12/22/2012	<u>95</u>	Appendix <i>Kevin R. Murphy Deposition Excerpts</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>91</u> , <u>93</u> . (Stern, Jeffrey) (Entered: 12/22/2012)
12/22/2012	<u>96</u>	Appendix <i>Ali Saad Deposition Excerpts</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>91</u> , <u>93</u> . (Stern, Jeffrey) (Entered: 12/22/2012)
12/22/2012	<u>97</u>	Notice of Service of Declaration of Kevin Murphy, Declaration of Jeffrey Stern, Kevin Murphy Deposition Excerpt, Ali Saad Deposition Excerpt <i>Notice of Filing and</i>

		<i>Certificate of Service</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>94</u> , <u>92</u> , <u>95</u> , <u>96</u> .(Stern, Jeffrey) (Entered: 12/22/2012)
12/26/2012	<u>98</u>	Unopposed Motion for extension of time until January 3, 2013 to file Defendants' Unopposed Motion For Extension Of Time To File Opposition To EEOC's Motion To Exclude Defendant's Expert Michael G. Aamodt filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>90</u> . (Maatman, Gerald) (Entered: 12/26/2012)
12/31/2012	<u>99</u>	Response to 90 Motion for Order Excluding Defendant's Expert Michael G. Aamodt (<i>Defendants' Response in Opposition To Plaintiff's Motion to Exclude Defendants' Expert Michael G. Aamodt</i>) filed by Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 12/31/2012)
12/31/2012	<u>100</u>	Affidavit/Declaration Of <i>Gerald L. Maatman, Jr. In Support of Defendants' Response In Opposition To Plaintiff's Motion To Exclude Defendants' Expert Michael G. Aamodt</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>99</u> . (Attachments: # <u>1</u> Exhibit 1--Expert Report of Ali Saad, Ph.D., # <u>2</u> Exhibit 2--Expert Report of Michael G. Aamodt, Ph.D., # <u>3</u> Exhibit 3--Excerpts from Deposition of Michael G. Aamodt, Ph.D., # <u>4</u> Exhibit 4--Expert Report of Kevin R. Murphy, Ph.D., # <u>5</u> Exhibit 5--Excerpts from 9/12/12 Deposition of Kevin R. Murphy, Ph.D., # <u>6</u> Exhibit 6--EEOC's Personnel Suitability & Security Handbook, # <u>7</u> Exhibit 7--EEOC Enforcement Guidance, # <u>8</u> Exhibit 8--Excerpts from Deposition of Matthew C. Seelye, # <u>9</u> Exhibit 9--Supplemental Expert Report of Kevin R. Murphy, Ph.D., # <u>10</u> Exhibit 10--Excerpts from Deposition of F. Maurice Mosley)(Maatman, Gerald) (Entered: 12/31/2012)
12/31/2012	<u>101</u>	Defendants' Reply Memo In Further Support of Their Motion to Exclude The Reports & Testimony of Dr. Kevin R. Murphy filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>82</u> , <u>93</u> . (Maatman, Gerald) (Entered: 12/31/2012)
01/03/2013	<u>102</u>	Response to 80 Motion for partial summary judgment (<i>Defendants' Response In Opposition to Plaintiff's Motion For Partial Summary Judgment</i>) filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 01/03/2013)
01/03/2013	<u>103</u>	Affidavit/Declaration of <i>Gerald L. Maatman, Jr. In Support of Defendants Response In Opposition To Plaintiff's Motion For Partial Summary Judgment</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>102</u> . (Attachments: # <u>1</u> Exhibit 1--Paetsch Declaration, # <u>2</u> Exhibit 2--Seelye Deposition Excerpts, # <u>3</u> Exhibit 3--Letter Regarding NSLDS Access, # <u>4</u> Exhibit 4--Rogoff Declaration, # <u>5</u> Exhibit 5--Laury Deposition Excerpts, # <u>6</u> Exhibit 6--Calfee Deposition Excerpts, # <u>7</u> Exhibit 7--Spreadsheet of Data Excerpts, # <u>8</u> Exhibit 8--Aamodt Deposition Excerpts, # <u>9</u> Exhibit 9--NSLDS Newsletter, # <u>10</u> Exhibit 10--Van Patten Deposition Excerpts, # <u>11</u> Exhibit 11--Van Patten E-Mail 10/09, # <u>12</u> Exhibit 12--Murphy Report, # <u>13</u> Exhibit 13--EEOC Enforcement Guidance, # <u>14</u> Exhibit 14--Financial Review Powerpoint, # <u>15</u> Exhibit 15--Mosley Deposition Excerpts 3/30/12, # <u>16</u> Exhibit 16--EEOC Personnel Suitability & Security Handbook, # <u>17</u> Exhibit 17--Smith Deposition Excerpts, # <u>18</u> Exhibit 18--Rogoff Deposition Excerpts, # <u>19</u> Exhibit 19--Spence Deposition Excerpts, # <u>20</u> Exhibit 20--Aamodt Expert Report, # <u>21</u> Exhibit 21--Van Patten E-Mail 9/07, # <u>22</u> Exhibit 22--Murphy Deposition Excerpts, # <u>23</u> Exhibit 23--Corser Deposition Excerpt, # <u>24</u> Exhibit 24--Dervin Deposition Excerpts, # <u>25</u> Exhibit 25--OPM Letter 1/18/12, # <u>26</u> Exhibit 26--OPM Letter 1/27/12 (Pt. 1), # <u>27</u> Exhibit 26--OPM Letter 1/27/12 (Pt. 2), # <u>28</u> Exhibit 27--OPM Position Designation, # <u>29</u> Exhibit 28--Mosley Deposition Excerpts 7/26/12)(Maatman, Gerald) (Entered: 01/03/2013)
01/03/2013	<u>104</u>	EEOC's Notice of Filing Exhibits in Opposition to Defendants' Summary Judgment Motion and Certificate of Service filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Howard Rogoff Deposition Excerpts, # <u>2</u> Exhibit Jerry Dervin Deposition Excerpts, # <u>3</u> Exhibit Charlene Smith Deposition Excerpts, # <u>4</u> Exhibit Kevin Murphy Declaration 1_3_2013)Related document(s) <u>79</u> .(Stern, Jeffrey) (Entered: 01/03/2013)

01/03/2013	<u>105</u>	Opposition to 79 Motion for summary judgment filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 01/03/2013)
01/07/2013		Order [non-document]: Defendants' Unopposed Motion for Extension of Time to File Opposition to EEOC's Motion to Exclude Defendant's Expert Michael G. Aamodt is MOOT. Judge Patricia A. Gaughan on 1/7/13. (LC,S) re <u>98</u> (Entered: 01/07/2013)
01/10/2013	<u>106</u>	Reply to response to <u>90 Motion</u> for Order Excluding Defendant's Expert Michael G. Aamodt filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 01/10/2013)
01/22/2013	<u>107</u>	Defendants' Reply In Support of Their Motion for Summary Judgment filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>79</u> , <u>105</u> . (Maatman, Gerald) (Entered: 01/22/2013)
01/22/2013	<u>108</u>	Affidavit/Declaration <i>DECLARATION OF GERALD L. MAATMAN, JR. IN SUPPORT OF DEFENDANTS' REPLY</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. Related document(s) <u>107</u> . (Attachments: # <u>1</u> Exhibit 34 – Smith Deposition Excerpts, # <u>2</u> Exhibit 35 – Rogoff Deposition Excerpts)(Maatman, Gerald) (Entered: 01/22/2013)
01/22/2013	<u>109</u>	Reply to response to <u>80 Motion</u> for partial summary judgment filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 01/22/2013)
01/28/2013	<u>110</u>	Memorandum Opinion and Order: Defendants' Motion for Summary Judgment (Doc. <u>79</u>) and the Motion to Exclude the Reports and Testimony of Dr. Kevin R. Murphy (Doc. <u>82</u>) are GRANTED. The EEOC's Motion for Partial Summary Judgment (Doc. <u>80</u>) and Motion to Exclude Defendant's Expert Michael G. Aamodt (Doc. <u>90</u>) are DENIED as MOOT. Judge Patricia A. Gaughan on 1/28/13. (LC,S) (Entered: 01/28/2013)
01/28/2013	<u>111</u>	Judgment Entry: This Court, having GRANTED Defendants' Motion for Summary Judgment (Doc. <u>79</u>), hereby enters judgment in favor of defendants and against plaintiff. Judge Patricia A. Gaughan on 1/28/13. (LC,S) re <u>110</u> (Entered: 01/28/2013)
02/06/2013	<u>112</u>	Notice of Change of Name and E-Mail Address for EEOC Counsel filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 02/06/2013)
02/26/2013	<u>113</u>	STRICKEN, see doc <u>119</u> . Motion for reconsideration filed by Plaintiff Equal Employment Opportunity Commission. Related document(s) <u>110</u> , <u>111</u> . (Attachments: # <u>1</u> Exhibit 1 Edwards Woodforest photos)(Stern, Jeffrey) Modified text 2/27/2013 (C,KA). Modified text 3/8/2013 (C,KA). (Entered: 02/26/2013)
02/26/2013	<u>114</u>	Affidavit/Declaration of <i>Kevin Murphy, Ph.D.</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>113</u> . (Attachments: # <u>1</u> Exhibit 1 Antonivics and Knight 2009, # <u>2</u> Exhibit 2 Price and Wolfers 2007, # <u>3</u> Exhibit 3 Bar-haim et al 2006, # <u>4</u> Exhibit 4 Herman 2010, # <u>5</u> Exhibit 5 Harris 2002, # <u>6</u> Exhibit 6 Sohn et al 2006, # <u>7</u> Exhibit 7 Morgan Wei et al 2004, # <u>8</u> Exhibit 8 Elliott et al 2008, # <u>9</u> Exhibit 9 Wei et al 2006)(Stern, Jeffrey) (Entered: 02/26/2013)
02/26/2013	<u>115</u>	Affidavit/Declaration of <i>Jeffrey A. Stern re ECF Error Code 48</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>113</u> , <u>114</u> . (Attachments: # <u>1</u> Exhibit A ECF Internal Error code 48 2_25_13, # <u>2</u> Exhibit B ECF offline notice 2_26_13, # <u>3</u> Exhibit C ECF online notice 2_26_13)(Stern, Jeffrey) (Entered: 02/26/2013)
03/04/2013	<u>116</u>	Affidavit/Declaration of <i>Kevin R. Murphy Ph.D Correcting Scrivener's Error</i> filed by Equal Employment Opportunity Commission. Related document(s) <u>114</u> . (Stern, Jeffrey) (Entered: 03/04/2013)
03/07/2013	<u>117</u>	Motion to strike <i>Plaintiff's Motion for Reconsideration</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc. Related document(s) <u>113</u> . (Maatman, Gerald) Modified text 3/8/2013 (C,KA). (Entered: 03/07/2013)
03/07/2013	<u>118</u>	Brief <i>In Support Of Their Motion to Strike Plaintiff's Motion for Reconsideration</i> filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc. Related document(s) <u>117</u> . (Maatman, Gerald) Modified text 3/8/2013 (C,KA). (Entered: 03/07/2013)

03/08/2013	<u>119</u>	Order granting defendants' Motion <u>117</u> to strike plaintiff's motion <u>113</u> for reconsideration. Plaintiff may refile a motion for reconsideration that comports with the non-dispositive motion rules no later than March 18,2013. Judge Patricia A. Gaughan(C,KA) (Entered: 03/08/2013)
03/18/2013	<u>120</u>	Revised Motion for reconsideration filed by Plaintiff Equal Employment Opportunity Commission. Related document(s) <u>111</u> , <u>110</u> . (Attachments: # <u>1</u> Exhibit Edwards/Woodforest Photos, # <u>2</u> Exhibit Murphy Declaration, 2/25/13, # <u>3</u> Exhibit Correction to Murphy Declaration/Scrivener's Error, 3/4/13, # <u>4</u> Exhibit 1 to Murphy Declaration, # <u>5</u> Exhibit 2 to Murphy Declaration, # <u>6</u> Exhibit 3 to Murphy Declaration, # <u>7</u> Exhibit 4 to Murphy Declaration, # <u>8</u> Exhibit 5 to Murphy Declaration, # <u>9</u> Exhibit 6 to Murphy Declaration, # <u>10</u> Exhibit 7 to Murphy Declaration, # <u>11</u> Exhibit 8 to Murphy Declaration, # <u>12</u> Exhibit 9 to Murphy Declaration)(Boehringer, Maria); by (s/Kate Northrup) Modified text on 3/21/2013 (B,B). (Entered: 03/18/2013)
03/28/2013	<u>121</u>	NOTICE OF APPEAL to the Sixth Circuit Court of Appeals from 1/28/13 memo, opinion and judgment <u>110</u> and <u>111</u> filed by Equal Employment Opportunity Commission. (Boehringer, Maria) Fee not required. Modified text 3/29/2013 (C,KA). (Entered: 03/28/2013)
04/04/2013	<u>122</u>	Response to <u>120</u> Revised Motion for reconsideration (<i>Defendants' Response in Opposition to Plaintiff's Motion for Reconsideration</i>) filed by Iowa College Acquisition Corporation, Kaplan Higher Education Corporation, Kaplan, Inc.. (Maatman, Gerald) (Entered: 04/04/2013)
04/11/2013	<u>123</u>	Acknowledgment from the USCA for Sixth Circuit of receipt of <u>121</u> Notice of Appeal (USCA# 13-3408). Date filed in USCA 4/8/13. (H,SP) (Entered: 04/11/2013)
04/12/2013	<u>124</u>	Unopposed Motion for extension of EEOC's Reply to Defendants' Opposition to Revised Motion for Reconsideration until up to and including April 19th filed by Plaintiff Equal Employment Opportunity Commission. Response due 4/22/2013. Related document(s) <u>122</u> . (Stern, Jeffrey) (Entered: 04/12/2013)
04/15/2013		Order [non-document]: EEOC's Motion for Four-Day Extension of Time to File Its Reply to Defendants' Opposition to EEOC's Revised Motion for Reconsideration is Granted to 4/19/13. Judge Patricia A. Gaughan on 4/15/13. (LC,S) re <u>124</u> (Entered: 04/15/2013)
04/16/2013	<u>125</u>	Appeal Order from USCA for the Sixth Circuit: Granting appellant's motion to hold case in abeyance re <u>121</u> Notice of Appeal (USCA# 13-3408). Date issued by USCA 4/15/13 (H,SP) (Entered: 04/16/2013)
04/19/2013	<u>126</u>	Reply to response to <u>120</u> Revised Motion for reconsideration filed by Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 04/19/2013)
05/06/2013	<u>127</u>	Memorandum Opinion and Order: The EEOC's Revised Motion for Reconsideration and Incorporated Memorandum of Law is DENIED. Judge Patricia A. Gaughan on 5/6/13. (LC,S) re <u>120</u> (Entered: 05/06/2013)
06/03/2013	<u>128</u>	FILING ERROR, DOCUMENT IS BLANK. Transcript Request by Equal Employment Opportunity Commission re <u>121</u> Notice of Appeal. Transcript is unnecessary, there were no hearings. (Boehringer, Maria) Modified on 6/6/2013 for filing error, NEF regenerated (H,SP). (Entered: 06/03/2013)
03/17/2014	<u>129</u>	Supplement <i>Refiled Exhibit 26-Saad Declaration & Expert Report</i> to <u>81</u> Affidavit/Declaration, filed by All Defendants. Original exhibit incomplete. Related document(s) <u>81</u> . (Maatman, Gerald) Modified text on 3/18/2014 (M, S). (Entered: 03/17/2014)
04/10/2014	<u>130</u>	Information copy of opinion from the USCA for the Sixth Circuit re <u>121</u> affirming district court's judgment (USCA #13-3408). Keith, Cook, and Kethledge, Circuit Judges. Date issued by USCA 4/9/14. This is not a mandate order. (Attachments: # <u>1</u> Judgment)(C,KA) (Entered: 04/10/2014)
04/11/2014	<u>131</u>	Appeal Order from USCA for the Sixth Circuit: Granting the motion filed by Pacific Legal Foundation to allow Pacific Legal Foundation, Cato Institute, Center for Equal Opportunity, Competitive Enterprise Institute, and Project 21 to become an amicus

		curiae re <u>121</u> Notice of Appeal (USCA# 13-3408). Date issued by USCA 4/9/14 (H,SP) (Entered: 04/11/2014)
05/01/2014	<u>133</u>	Bill of costs filed by All Defendants. (Attachments: # <u>1</u> Exhibit 1 – Witness List, # <u>2</u> Affidavit of Gerald L. Maatman Jr., # <u>3</u> Exhibit A – Addendum of Costs, # <u>4</u> Exhibit B – EEOC's First Notice of Deposition, # <u>5</u> Exhibit C – EEOC's Second Notice of Deposition, # <u>6</u> Exhibit D – EEOC's Third Notice of Deposition, # <u>7</u> Exhibit E – EEOC's Fourth Notice of Deposition, # <u>8</u> Exhibit F – Defendants' Notice of Nichols Deposition, # <u>9</u> Exhibit G – Defendants' Notice of 30(b)(6) Deposition, # <u>10</u> Exhibit H – Defendants' Notice of Murphy Deposition, # <u>11</u> Exhibit I – Defendants' Supoena to OPM)(Maatman, Gerald) (Entered: 05/01/2014)
05/01/2014	<u>134</u>	True copy of mandate from the USCA for the Sixth Circuit: Affirming the District Court's judgment re <u>121</u> Notice of Appeal (USCA #13-3408). No costs. Date issued by USCA as mandate 5/1/14 (Related document(s) <u>130</u>) (C,KA). Modified text on 5/6/2014 (H,SP). (Entered: 05/01/2014)
05/16/2014	<u>135</u>	Costs Taxed against plaintiff in the amount of \$17,683.90. Geri M. Smith, Clerk, by Kelly Copeland, Deputy Clerk. Related document(s) <u>133</u> . (C,KA) (Entered: 05/16/2014)