

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

EQUAL EMPLOYMENT OPPORTUNITY Civil Action No. 02-CV-810DSD/SRN
COMMISSION,

Plaintiff,

and

Stipulation and Order

Sheila Kutz,

Plaintiff - Intervenor,

v.

Minnesota Beef Industries, Inc.,

Defendant.

WHEREAS, Plaintiff-Intervenor filed for unemployment benefits from the Minnesota Department of Economic Security (“Department”) in June 1997. Defendant contested said benefits. The Department initially determined on June 28, 1997 that Plaintiff-Intervenor quit her job without good cause attributable to the Defendant. On June 30, 1997, Plaintiff-Intervenor appealed the decision. A hearing was held on August 15, 1997 and a decision issued October 10, 1997, reversing the initial determination. On appeal, that decision was vacated and the matter remanded for additional evidence by order of the Commissioner’s representative dated November 10, 1997.

WHEREAS, the rehearing of the Plaintiff-Intervenor’s was heard on April 30, 1998 and continued to and completed on May 15, 1998. The Department finally determined the Plaintiff-Intervenor was not disqualified and her decision to “quit th[e]

FILED FEB 19 2003
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTD. _____
DEPUTY CLERK _____

job with good cause attributable to the employer.” The file numbers associated with the unemployment case include Appeal Number 5628 UC 97, Social Security Number 398-80-7941 and Employer Account Number 0410886000.

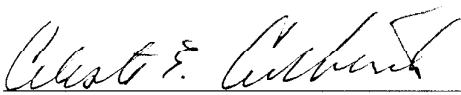
WHEREAS, the findings of the Department were based upon testimony of important witnesses and parties to this litigation, all of whom who will testify in the above-referenced case. Also the testimony is directly related to the allegations contained in the Complaint and Complaint in Intervention filed in this litigation. The parties desire to obtain copies of the Department’s file in its entirety, including copies of the taped hearing along with the transcripts of the second hearing on April 30 and May 15, 1998.

IT IS HEREBY ORDERED, UPON CONSENT OF THE PARTIES, AS FOLLOWS:

1. Within 15 days of receipt of a copy of this Order, the Department shall produce to Culberth, Lienemann & Stratton, LLP and William J. Egan, PLC copies of the Department’s file, in its entirety, including but not limited to copies of the tapes and transcripts of the hearings held on April 30, 1998 and May 15, 1998 for Appeal Number 5628 UC 97, Social Security Number [REDACTED] and Employer Account Number 0410886000. These parties shall make these documents, tapes and transcripts available to Plaintiff EEOC for duplication.

CULBERTH, LIENEMANN & STRATTON, LLP

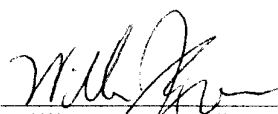
Dated: 2/11/03

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ATTORNEYS FOR PLAINTIFF-INTERVENOR

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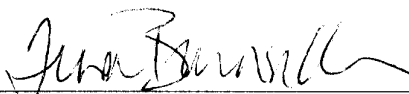
Dated: 2/13/03

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ATTORNEY FOR DEFENDANT

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

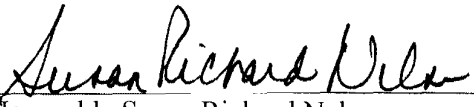
Dated: 2/17/03

By: 
Tina Burnside (#)
U.S. Equal Employment Opportunity Commission
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Minneapolis, MN 55401
(612) 335-4040

ATTORNEY FOR PLAINTIFF

IT IS SO ORDERED.

Dated: 2/19/03



Honorable Susan Richard Nelson
Magistrate Judge of District Court