

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	:	FILED MAR 12 '02 AM 9:18 USDICALS
	:	
Plaintiff,	:	
	:	
and	:	
	:	
MELVIA CLEMMONS, et al.,	:	
	:	
Plaintiffs-Intervenors,	:	
	:	
vs.	:	CIVIL ACTION 01-0087-CG-M
	:	
BELLSOUTH TELECOMMUNICATIONS, INC.,	:	
	:	
Defendant.	:	

ORDER

The Court heard from counsel this date on the status of this action and of the pending discovery motions. After consideration of the extensive comments of counsel, the Court ordered counsel for all parties to meet and confer concerning all of the discovery issues in dispute which are identified and discussed in the discovery motions which are presently pending before this Court. Those discovery issues that are not resolved after this good faith conferencing among counsel are to be addressed in a new fully-complying motion to compel filed by Plaintiff EEOC and/or Defendant (as more fully discussed at the hearing) not later than **Monday, March 25, 2002**. Any such motion to compel is to be complete within itself and is not to refer to any previously-filed statement of facts, citation of law, or argument, although it may reference previously-filed supporting documentation in the case file of this action.

In light of the above ruling, the following motions are DENIED WITHOUT PREJUDICE to any unresolved discovery dispute being addressed

again as set out above: Plaintiff EEOC's Motion to Compel Production of Documents (Doc. 62), Plaintiff EEOC's Motion to Compel Supplementation of Rule 26 Disclosures (Doc. 64), Plaintiff EEOC's Motion for Reconsideration (Doc. 72), Plaintiff EEOC's Motion for Clarification of Court's Rulings on January 25, 2002 Hearing (Doc. 80), and Plaintiff EEOC's Motion for Protective Order (Doc. 87).

After consideration of Plaintiffs' Joint¹ Motion to Amend Rule 16(b) Scheduling Order and Extend Attendant Deadlines (Doc. 78), Plaintiff EEOC's Motion to Expedite Ruling on Plaintiffs' Joint Motion to Amend Rule 16(b) Scheduling Order or Alternatively for Extension of Deadlines for Filing Plaintiff's Expert's Report (Doc. 85), and BellSouth's Response to Plaintiffs' Motion to Amend Rule 16(b) Scheduling Order (Doc. 89), Plaintiffs' motions are GRANTED; however, the Court will not again amend the previously Amended Rule 16(b) Scheduling Order until after it rules on any motion to compel filed on March 25, 2002 and gets a better idea of what discovery is yet to be done. Discovery is not stayed but may proceed pending the entry of the Amended Rule 16(b) Scheduling Order.

If an additional hearing is needed on any unresolved discovery disputes identified in a properly-filed motion to compel, that hearing will be held on **Monday, April 15, 2002, at 9:00 a.m. in Courtroom 3B, United States Courthouse, Mobile, Alabama.** All counsel are to be personally present. That hearing will be confirmed with counsel once

¹The term "joint" used in conjunction with a motion usually means that all the parties, not just plaintiffs, have agreed to it or join in it. That is the way it is to be used in the future in this action.

the Court has determined that there are discovery disputes remaining that can not be resolved between counsel.

As stated at the hearing, counsel are to strictly comply with the Federal Rules of Civil Procedure, the local rules of this Court and any additional requirements set out in the Rule 16(b) Scheduling Order or other orders of the Court, especially as they pertain to any motions to compel discovery. Any filings not in compliance are subject to being denied or stricken.

DONE this 11th day of March, 2002.



BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA
March 12, 2002

* * MAILING CERTIFICATE OF CLERK * *

Re: 1:01-cv-00087 Equal Employment Opp v. BellSouth, Inc.

True and correct copies of the attached were mailed by the clerk
to the following:

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