

CLOSED,CONSOL,LEAD

**U.S. District Court
Northern District of Alabama (Northwestern)
CIVIL DOCKET FOR CASE #: 3:99-cv-01691-RDP-RRR**

EEOC v. Sheffield, City of, et al
Assigned to: Judge R David Proctor
Referred to: Magistrate-Judge Robert R Armstrong
Demand: \$0
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 06/30/1999
Date Terminated: 02/01/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Charles E Guerrier**
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V.

Defendant

Sheffield, City of
Fire Department

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Defendant

Sheffield Fire Department, City of

represented by **Vincent R Ledlow**
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ATTORNEY TO BE NOTICED

Defendant

Sheffield Civil Service Board, City of

represented by **Braxton W Ashe**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

James Box
*in his official and individual capacity as a
member of the Civil Service Board of the
City of Sheffield*
TERMINATED: 09/30/2002

represented by **Braxton W Ashe**
(See above for address)
TERMINATED: 09/30/2002
ATTORNEY TO BE NOTICED

Syantha Christeen Frankowski
2126 15th Avenue South
Birmingham, AL 35205
TERMINATED: 09/30/2002
ATTORNEY TO BE NOTICED

Defendant

Lena Long
*in her official and individual capacity as
a member of the Civil Service Board of
the City of Sheffield*
TERMINATED: 09/30/2002

represented by **Braxton W Ashe**
(See above for address)
TERMINATED: 09/30/2002
ATTORNEY TO BE NOTICED

Defendant**John Stonecipher**

*in his official and individual capacity as a
member of the Civil Service Board of the
City of Sheffield
TERMINATED: 09/30/2002*

represented by **Braxton W Ashe**

(See above for address)
*TERMINATED: 09/30/2002
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/30/1999	1	COMPLAINT filed, (SRJ) (Entered: 06/30/1999)
11/22/1999	2	MOTION by defendant Sheffield, City of to dismiss filed cs (KAM) (Entered: 11/23/1999)
12/06/1999	3	RESPONSE by plaintiff EEOC to dft's motion to dismiss [2-1] filed cs (SRJ) (Entered: 12/07/1999)
12/06/1999		SUMMONS and complaint issued del to pla (KAM) (Entered: 12/08/1999)
12/17/1999	4	SUMMONS and complaint returned executed: upon defendant Sheffield, City of on 12/13/99 filed (KAM) (Entered: 12/17/1999)
03/03/2000	5	MOTION by defendant Sheffield, City of to consolidate case CV 99-B-1691-NW with CV 99-S-2995-NW filed cs (deemed filed 2/14/00 in CV 99-S-2995-NW) (KAM) (Entered: 03/03/2000)
03/20/2000	<u>6</u>	ORDER granting motion to consolidate case CV 99-B-1691-NW with CV 99-S-2995-NW [5-1] 3:99-cv-1691 with member cases 3:99-cv-2995 ; Status hearing to be held on 3:30 4/27/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 03/20/2000)
03/23/2000		Notice of plaintiff in 3:99-cv-02995 of filing of attorney time records in response to order # [5-1] w/sealed envelope of time records attached filed cs (SHB) (Entered: 03/27/2000)
04/17/2000		Notice of plaintiff in 3:99-cv-02995 of filing of attorney time records in response to order # [5-1] w/sealed envelope of time records attached filed cs (SHB) (Entered: 04/19/2000)
04/27/2000	7	MOTION by Commission in 3:99-cv-01691 for order to deconsolidate the (2) cases , and to strike deposition filed cs (DWC) (Entered: 04/27/2000)
04/28/2000	<u>8</u>	7 - ORDER denying motion for order to deconsolidate the (2) cases [7-1], denying motion to strike deposition [7-2] (by Judge Sharon L. Blackburn) entered cm (KAM) (Entered: 05/02/2000)
05/02/2000		ORDER scheduling that certain time limits apply as set out in this order ;discovery cutoff 10/20/00 ;dispositive motions by 11/17/00; pretrial needed; mediation 8/7/00; jury trial set 9:00 2/19/01 in Florence by Judge Sharon L. Blackburn entered cm (KAM) (Entered: 05/02/2000)
05/03/2000	9	NOTICE of appearance for plaintiff EEOC in 3:99-cv-01691 by Elizabeth J Hubertz filed cs (KAM) (Entered: 05/04/2000)
05/03/2000	10	MOTION by plaintiff EEOC in 3:99-cv-01691 to amend the complaint filed cs (KAM) (Entered: 05/04/2000)
05/08/2000	<u>11</u>	10 - ORDER granting motion to amend the complaint [10-1] (by Judge Sharon L. Blackburn) entered cm (KAM) (Entered: 05/08/2000)
05/08/2000	12	AMENDED complaint filed by plaintiff EEOC (re: claims of Kantor, Holman and Hall) in 3:99-cv-01691 [1-1]; jury demand; adding Sheffield Fire Dept, Sheffield Civil Serv, James Box, Lena Long, John Stonecipher to case(s) 3:99-cv-01691, filed cs (KAM) Modified on 08/10/2000 (Entered: 05/08/2000)
05/18/2000	13	ANSWER by dft Sheffield, City of in 3:99-cv-01691 filed cs (DWC) (Entered: 05/22/2000)

05/22/2000	14	MOTION by pla George Whitney Love in 3:99-cv-2995 to amend complaint filed cs (SNH) Modified on 08/10/2000 (Entered: 05/23/2000)
07/10/2000	15	MOTION by defendant Sheffield Civil Serv in 3:99-cv-01691, defendant James Box in 3:99-cv-01691, defendant Lena Long in 3:99-cv-01691, defendant John Stonecipher in 3:99-cv-01691 to dismiss amended complaint filed cs (KAM) (Entered: 07/10/2000)
07/11/2000	16	ANSWER by defendant Sheffield Fire Dept in 3:99-cv-01691 w/appear by atty(s) Vincent Ray Ledlow filed cs (KAM) (Entered: 07/13/2000)
08/10/2000	<u>17</u>	14 - ORDER granting motion to amend complaint (re: claim of Love) [14-1] (by Judge Sharon L. Blackburn) entered cm (KAM) (Entered: 08/10/2000)
08/10/2000	18	AMENDED complaint (re: claims of Love) filed by plaintiff George Whitney Love in 3:99-cv-01691; jury demand filed cs (KAM) (Entered: 08/10/2000)
08/10/2000	<u>19</u>	ORDER that the parties are directed to use the consolidated style on all future pleadings filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 08/10/2000)
08/10/2000	<u>20</u>	ORDER ; Status hearing to be held on 1:30 8/23/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 08/10/2000)
08/24/2000	21	AMENDED complaint filed by plaintiff George Whitney Love in 3:99-cv-01691 [18-1]; jury demand filed cs (KAM) (Entered: 08/28/2000)
08/28/2000	<u>22</u>	ORDER denying motion to dismiss City of Sheffield Fire Dept as moot [2-1] filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 08/28/2000)
08/28/2000	<u>23</u>	ORDER scheduling that certain time limits apply as set out in this order ;discovery cutoff 8/1/01 ;dispositive motions by 8/31/01; pretrial needed; mediation 5/21/01; jury trial set 9:00 10/29/01 in Florence by Judge Sharon L. Blackburn entered cm (KAM) (Entered: 08/28/2000)
08/28/2000	<u>24</u>	ORDER oral argument on the motion to dismiss is set for 11:00 11/9/00 ; dfts brief in support is due by 9/20/00; pla's brief in opposition is due by 10/18/00; dfts reply brief is due by 11/3/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 08/28/2000)
09/19/2000	25	MOTION by defendant Sheffield Civil Serv in 3:99-cv-01691, defendant Sheffield, City of in 3:99-cv-01691, defendant James Box in 3:99-cv-01691, defendant Lena Long in 3:99-cv-01691, defendant John Stonecipher in 3:99-cv-01691 to dismiss amended complaint by George Love filed cs (KAM) (Entered: 09/20/2000)
09/25/2000	26	ANSWER by defendant Sheffield, City of in 3:99-cv-01691 w/appear by atty(s) filed cs (SHB) (Entered: 09/25/2000)
11/30/2000	27	Notice of pla George Whitney Love in 3:99-cv-2995 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (DWC) (Entered: 12/01/2000)
12/05/2000	<u>28</u>	ORDER oral argument on motion to dismiss is set for 2:00 12/14/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 12/05/2000)
12/07/2000	<u>29</u>	ORDER hearing on motion to dismiss amended complaint is set for 8:30 12/21/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 12/07/2000)
12/20/2000	<u>30</u>	ORDER hearing on motion to dismiss amended complaint is set for 2:30 1/24/00 filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 12/20/2000)
02/06/2001	<u>31</u>	MEMORANDUM, opinion, and order: filed (by Judge Sharon L. Blackburn) denying motion to dismiss amended complaint by George Love [25-1], finding the motion to dismiss amended complaint [15-1] moot cm (KAM) (Entered: 02/06/2001)
02/20/2001	32	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 02/21/2001)

03/02/2001	<u>35</u>	MOTION by dfts James Box, Lena Long, John Stonecipher in 3:99-cv-01691 for reconsideration of court's 2/6/01 order w/attachments filed cs (DWC) (Entered: 03/07/2001)
03/05/2001	33	ANSWER by defendant Sheffield Civil Serv in 3:99-cv-01691 to amended complaint of George Whitney Love filed cs (KAM) (Entered: 03/06/2001)
03/05/2001	34	ANSWER by defendant Sheffield Civil Serv in 3:99-cv-01691 to the amended complaint of the EEOC filed cs (KAM) (Entered: 03/06/2001)
03/14/2001	36	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 03/15/2001)
05/16/2001	37	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 05/17/2001)
06/19/2001	38	Notice of misc member (George Whitney Love) in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (DWC) (Entered: 06/19/2001)
06/20/2001	<u>39</u>	MOTION by dft Sheffield, City of in 3:99-cv-01691 for summary judgment w/exhs atta filed cs [afdt of Clayton Kelly filed w/i Exh "A"] (DWC) (Entered: 06/20/2001)
07/09/2001	40	Notice of pla George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (DWC) (Entered: 07/09/2001)
07/10/2001	41	SUBMISSION of discovery by pla George Whitney Love (CV-99-2995-NW) in 3:99-cv-01691 in opposition to dft City of Sheffield's motion for sumjgm w/exhs atta filed cs (DWC) (Entered: 07/10/2001)
08/01/2001	<u>42</u>	MOTION by pla EEOC in 3:99-cv-01691 to compel dfts City of Sheffield, Civil Svc Bd of the City of Sheffield to attend depositions w/exhs atta filed cs (DWC) (Entered: 08/02/2001)
08/06/2001	43	Notice of pla in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (DWC) (Entered: 08/06/2001)
08/10/2001	44	RESPONSE by dft Sheffield, City of in 3:99-cv-01691 to EEOC's motion to compel dfts City of Sheffield, Civil Svc Bd of the City of Sheffield to attend depositions [42-1] filed cs (DWC) (Entered: 08/10/2001)
08/17/2001	45	RESPONSE by dft Sheffield Civil Serv in 3:99-cv-01691 to pla's motion to compel dfts City of Sheffield, Civil Svc Bd of the City of Sheffield to attend depositions [42-1] filed cs (DWC) (Entered: 08/17/2001)
08/31/2001	<u>46</u>	ANSWER to EEOC's amended complaint by dfts James Box, Lena Long, John Stonecipher in 3:99-cv-01691 filed cs (DWC) (Entered: 08/31/2001)
08/31/2001	<u>47</u>	ANSWER to George Whitney Love's amended complaints by dfts James Box, Lena Long, John Stonecipher in 3:99-cv-01691 filed cs (DWC) (Entered: 08/31/2001)
08/31/2001	<u>48</u>	MOTION by dfts Sheffield Civil Serv, James Box, Lena Long, John Stonecipher in 3:99-cv-01691 for summary judgment filed cs (DWC) (Entered: 08/31/2001)
08/31/2001	<u>49</u>	MOTION by dft Sheffield, City of in 3:99-cv-01691 for summary judgment filed cs (DWC) (Entered: 08/31/2001)
09/20/2001	50	RESPONSE by plaintiff EEOC in 3:99-cv-01691 motion for summary judgment [49-1], motion for summary judgment [48-1] filed cs (KAM) (Entered: 09/21/2001)
09/20/2001	51	SUBMISSION of discovery by plaintiff EEOC in 3:99-cv-01691, in response to dfts' motions for summary judgment filed cs (KAM) (Entered: 09/21/2001)

09/21/2001	52	NOTICE of appearance for plaintiff George Whitney Love in 3:99-cv-01691 by Symantha C Thomas filed cs (KAM) (Entered: 09/24/2001)
09/21/2001	53	SUBMISSION of discovery by plaintiff George Whitney Love in 3:99-cv-01691, filed cs (KAM) (Entered: 09/24/2001)
10/01/2001	54	WITNESS list by defendant Sheffield, City of in 3:99-cv-01691, defendant James Box in 3:99-cv-01691, defendant Lena Long in 3:99-cv-01691, defendant John Stonecipher in 3:99-cv-01691 filed cs (KAM) (Entered: 10/02/2001)
10/01/2001	55	WITNESS list by plaintiff George Whitney Love in 3:99-cv-01691 filed cs (KAM) (Entered: 10/02/2001)
10/01/2001	56	EXHIBIT list by plaintiff George Whitney Love in 3:99-cv-01691 filed cs (KAM) (Entered: 10/02/2001)
10/05/2001	57	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 10/09/2001)
11/30/2001	58	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 12/03/2001)
01/14/2002	59	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 01/15/2002)
01/16/2002	60	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 01/17/2002)
02/15/2002	61	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 02/20/2002)
03/20/2002	62	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 03/26/2002)
04/16/2002	63	Notice of plaintiff EEOC in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (BST) (Entered: 04/18/2002)
05/28/2002	64	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 05/30/2002)
06/27/2002	65	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 06/28/2002)
09/24/2002	66	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 09/25/2002)
09/24/2002	67	Notice of plaintiff George Whitney Love in 3:99-cv-01691 of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 09/25/2002)
09/30/2002	<u>68</u>	ORDER granting motion for reconsideration of court's 2/6/01 order [35-1]; claims against Box, Long and Stonecipher are dismissed with prejudice filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 09/30/2002)
09/30/2002		DOCKET modification (utility event) to dismiss party John Stonecipher in 3:99-cv-01691, party Lena Long in 3:99-cv-01691, party James Box in 3:99-cv-01691 w/prejudice in their individual and official capacities - see order #68 (KAM) (Entered: 09/30/2002)

09/30/2002	<u>69</u>	MEMORANDUM opinion filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 09/30/2002)
09/30/2002	<u>70</u>	ORDER in accordance with the memo opinion, denying motion for summary judgment [49-1] granting motion for summary judgment [39-1] granting motion for summary judgment as to claims against Board by pla George Whitney Love in 99-2995-NW and denied as to claims against Board by EEOC [48-1]; final judgment is entered in favor of dfts & against pla in member case 99-B-2995-NW as set out in this order filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 09/30/2002)
09/30/2002	<u>71</u>	ORDER granting motion to compel dfts City of Sheffield, Civil Svc Bd of the City of Sheffield to attend depositions [42-1] as set out in this order; discovery is extended for 60 days; EEOC's request for costs is denied filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 09/30/2002)
09/30/2002	<u>72</u>	MEMORANDUM opinion (amended) filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 09/30/2002)
10/01/2002	<u>73</u>	MOTION to withdraw attorney Tammy C. Woolley for plaintiff in case CV-99-2995-NW filed cs (KSS) (Entered: 10/03/2002)
10/01/2002	<u>74</u>	73 - ORDER granting motion to withdraw attorney Tammy C. Woolley for plaintiff in case CV-99-2995-NW [73-1] (by Judge Sharon L. Blackburn) entered cm (KSS) (Entered: 10/03/2002)
10/03/2002		DOCKET modification (utility event) withdrawing attorney Tammy C Woolley for plaintiff in case CV-99-2995-NW (KSS) (Entered: 10/03/2002)
11/21/2002	75	Notice of plaintiff of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (MAA) (Entered: 11/25/2002)
12/03/2002	76	RETURN of service of subpoena on Danny Brocatto on 11/21/02, filed (Former Employee) (Entered: 12/04/2002)
12/03/2002	77	RETURN of service of subpoena on Tom Isbell on 11/21/02, filed (Former Employee) (Entered: 12/04/2002)
12/17/2002	78	Notice of plaintiff of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (MAA) (Entered: 12/18/2002)
01/08/2003	<u>79</u>	CERTIFICATE of Readiness issued cm (SRJ) (Entered: 01/08/2003)
02/20/2003	80	Notice of plaintiff EEOC of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (MAA) (Entered: 02/21/2003)
02/20/2003	81	Notice of plaintiff of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (MAA) (Entered: 02/21/2003)
03/10/2003	<u>82</u>	ORDER ; Status conference to be held on 8:30 3/13/03 filed (by Judge Sharon L. Blackburn) cm (MAA) (Entered: 03/10/2003)
03/25/2003	83	Notice of plaintiff George Whitney Love of filing of attorney time records in response to order # w/sealed envelope of time records attached filed cs (KAM) (Entered: 03/26/2003)
04/28/2003	<u>84</u>	ORDER Case referred to Magistrate-Judge Robert R. Armstrong Jr for settlement proceedings filed (by Judge Sharon L. Blackburn) cm (KAM) (Entered: 04/29/2003)
06/18/2003	85	Notice of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KAM) (Entered: 06/18/2003)
07/02/2003	<u>86</u>	ORDER settlement conference set for 9:30 8/8/03 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (KAM) (Entered: 07/02/2003)
08/07/2003	87	Notice of miscellaneous Member (George Whitney Love) of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (KSS) (Entered: 08/07/2003)

10/14/2003	<u>88</u>	NOTICE of reassignment Case reassigned to Judge R D. Proctor cm (KAM) (Entered: 10/14/2003)
03/10/2004	89	Notice of plaintiff of filing of attorney time records in response to order # [23-1] w/sealed envelope of time records attached filed cs (DRR) (Entered: 03/11/2004)
11/12/2004	<u>90</u>	PRETRIAL ORDER Jury Trial set for 2/21/2005 09:00 AM in Courtroom 7A before Judge R David Proctor.. Signed by Judge R David Proctor on 11/12/2004. (KSS,) (Entered: 11/15/2004)
02/01/2005	<u>91</u>	ORDER OF DISMISSAL the court, having been informed that a settlement has been reached, dismisses this case without prejudice, the parties are directed to submit a joint stipulation of dismissal within 60 days. Signed by Judge R David Proctor on 2/1/2005. (KSS,) (Entered: 02/01/2005)
04/04/2005	<u>92</u>	MOTION to Set Aside Judgment <i>and enter Consent Decree</i> by Equal Employment Opportunity Commission. (Guerrier, Charles) (Entered: 04/04/2005)
04/05/2005	<u>93</u>	CONSENT DECREE. Signed by Judge R David Proctor on 4/5/2005. (KSS,) (Entered: 04/05/2005)