

CONMAG, MEDIATION, REPORT & RECOMMEND, STAY

U.S. District Court
Northern District of Alabama (Western)
CIVIL DOCKET FOR CASE #: 7:03-cv-00502-RR

EEOC v. RPH Management, Inc.
Assigned to: Magistrate-Judge Robert R Armstrong
Demand: \$0
Cause: 28:451 Employment Discrimination

Date Filed: 03/06/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Heather F Lindsay**
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V.

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Date Filed	#	Docket Text
03/06/2003	1	COMPLAINT filed (w/notation that waiver of service forms will be sent w/ the complaint) (CTS) Modified on 03/14/2003 (Entered: 03/07/2003)
03/13/2003	2	NOTICE of appearance for dft by Jonathan S Harbuck, F Daniel Wood Jr filed cs (CTS) (Entered: 03/14/2003)
04/22/2003	3	MOTION by dft to dismiss filed cs (CTS) (Entered: 04/22/2003)
04/22/2003	4	CORPORATE DISCLOSURE STATEMENT filed by dft cs (CTS) (Entered: 04/22/2003)
04/22/2003	5	ANSWER by dft filed cs (CTS) (Entered: 04/22/2003)
04/25/2003	6	ORDER the plaintiff shall file a written response to the motion to dismiss no later than 5/5/03; defendant may file a reply no later than 5/22/03 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (KSS) (Entered: 04/25/2003)
04/28/2003	7	MOTION by dft's counsel to withdraw attorneys Jonathan S Harbuck & F Daniel Wood filed cs (CTS) (Entered: 04/28/2003)
04/28/2003	8	MOTION by pla to extend time for planning meeting filed cs (CTS) (Entered: 04/29/2003)

04/29/2003	9	8 - ORDER granting motion to extend time for planning meeting [8-1] to June 6, 2003 (by Magistrate-Judge Robert R. Armstrong Jr entered cm (CTS) (Entered: 04/29/2003)
04/29/2003	10	BRIEF by dft in support of its motion to dismiss filed cs (CTS) (Entered: 04/30/2003)
04/29/2003	11	7 - ORDER granting motion to withdraw attorneys Jonathan S Harbuck & F Daniel Wood [7-1] (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 04/30/2003)
04/30/2003		DOCKET modification (utility event) withdrawing attorney attorneys F Daniel Wood & Jonathan S Harbuck for RPH Management, Inc. (CTS) (Entered: 04/30/2003)
05/02/2003	12	ORDER that pla's time to respond to doc #3 is extended to 5/23/03 & dft may file a reply by 6/12/03 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 05/02/2003)
05/05/2003	13	MOTION by movant Samantha Robichaud to intervene filed cs (CTS) (Entered: 05/05/2003)
05/09/2003	14	RESPONSE by dft RPH Management, Inc. to motion to intervene [13-1] filed cs (CTS) (Entered: 05/09/2003)
05/09/2003	15	ORDER re doc #13, any party wishing to object shall do so by 5/23/03 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 05/09/2003)
05/23/2003	16	RESPONSE by pla in opposition to motion to dismiss [3-1] filed cs (CTS) (Entered: 05/27/2003)
05/23/2003	17	OPPOSITION brief by pla to motion to dismiss [3-1] filed cs (CTS) (Entered: 05/27/2003)
06/06/2003	18	Report of Parties (form 35) of compliance with FRCP 26 filed (CTS) (Entered: 06/09/2003)
06/12/2003	19	ORDER directing parties to notify Clerk by 6/30/03 if they wish to have mag-jdg exercise jurisdiction in this case filed (by Magistrate-Judge Robert R. Armstrong Jr cm w/ form (CTS) (Entered: 06/12/2003)
06/12/2003	20	ORDER (Scheduling) seting discovery cutoff date of 3/31/04 along w/ other time limits & conditions as set out by Magistrate-Judge Robert R. Armstrong Jr entered cm (CTS) (Entered: 06/12/2003)
06/12/2003	21	ORDER granting Samantha Robichaud's motion to intervene [13-1] filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 06/12/2003)
06/12/2003	22	INTERVENOR complaint filed pursuant to doc #21 (CTS) (Entered: 06/12/2003)
06/12/2003	23	MOTION by defendant RPH Management, Inc. to strike in camera evidence , or for order to require disclosure to dft of in camera submission filed cs (MAA) (Entered: 06/13/2003)
06/12/2003	24	MOTION by defendant RPH Management, Inc. to extend time to file brief in support of motion to dismiss filed cs (MAA) (Entered: 06/13/2003)

06/18/2003	25	Notice of intervenor Samantha Robichaud of filing of attorney time records w/sealed envelope of time records attached filed cs (CTS) (Entered: 06/18/2003)
06/18/2003	26	MOTION by intervenor Samantha Robichaud to change venue to Western Div filed cs (CTS) (Entered: 06/18/2003)
06/23/2003	27	24 - ORDER granting motion to extend time to file brief in support of motion to dismiss [24-1] (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (MAA) (Entered: 06/24/2003)
07/02/2003	28	ORDER re doc #26, any opposition shall be filed by 7/15/03 filed (by Magistrate-Judge Robert R. Armstrong Jr cm (CTS) (Entered: 07/02/2003)
07/02/2003	29	ORDER re doc #23, pla shall file a written response by 7/15/03 filed (by Magistrate-Judge Robert R. Armstrong Jr cm (CTS) (Entered: 07/02/2003)
07/02/2003	30	BRIEF by dft in support of doc #23 DEEMED filed cs (CTS) (Entered: 07/02/2003)
07/07/2003	31	MOTION by pla for order to suspend discovery filed cs (CTS) (Entered: 07/07/2003)
07/10/2003	32	ORDER re doc #31, dft has until 7/21/03 to file a written response filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 07/10/2003)
07/15/2003	33	RESPONSE by pla to motion to change venue to Western Div [26-1] filed cs (CTS) (Entered: 07/15/2003)
07/17/2003	35	31 - ORDER granting motion for order to suspend discovery [31-1] (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 07/18/2003)
07/18/2003	34	ORDER terminating motion to strike in camera evidence [23-1], granting motion for order to require disclosure to dft of in camera submission [23-2]; pla shall disclose to dft is in camera submissions w/in 7 days fm this date filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 07/18/2003)
07/21/2003	36	MOTION by dft RPH Management, Inc. for reconsideration of this Court's Order granting pla's motion to suspend discovery filed cs (CTS) Modified on 07/21/2003 (Entered: 07/21/2003)
07/21/2003	37	OPPOSITION by dft RPH Management, Inc. to pla's motion for order to suspend discovery [31-1] filed cs (CTS) (Entered: 07/21/2003)
07/23/2003	38	ORDER as set out granting motion for reconsideration of this Court's Order as to conciliation discovery [36-1], & that part of suspension order is hereby SET ASIDE filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 07/23/2003)
08/22/2003	39	MOTION by dft RPH Management, Inc. to compel discovery from EEOC filed cs (CTS) (Entered: 08/25/2003)
08/27/2003	40	ORDER re doc #39, pla shall file a written response by 9/16/03 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 08/27/2003)

09/08/2003	41	Notice of intervenor Samantha Robichaud of filing of attorney time records w/ envelope of time records attached filed cs (CTS) (Entered: 09/08/2003)
09/16/2003	42	RESPONSE by pla to dft's motion to compel discovery from EEOC [39-1] filed cs (CTS) (Entered: 09/16/2003)
09/16/2003	43	SUPPLEMENTAL RESPONSES AND/OR OBJ to dft's 1st set of interrogatores by pla filed cs (CTS) (Entered: 09/17/2003)
09/26/2003	44	RESPONSE by dft RPH Management, Inc. in support of its motion to compel discovery from EEOC [39-1] filed cs (CTS) (Entered: 09/29/2003)
11/19/2003	45	Notice of intervenor Samantha Robichaud of filing of attorney time records w/sealed envelope of time records attached filed cs (CTS) (Entered: 11/19/2003)
01/29/2004	46	MOTION by dft for order for court to issue a scheduling order w/ ddl to complete conciliation discovery filed cs (CTS) (Entered: 01/30/2004)
02/03/2004	47	26 - ORDER granting motion to change venue to Western Div [26-1] transferring case to Western division (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 02/03/2004)
02/06/2004	48	ORDER Oral Argument on Motion to Dismiss set for 2:00PM 2/11/04 filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (DRR) (Entered: 02/06/2004)
02/11/2004		COURTROOM NOTES (before Magistrate-Judge Robert R. Armstrong Jr): Motion hearing held; C. Powell and H. Lindsay present for deft; P. DeLeonardo and M. Barrett present for pltf; arguments; exhibits 1 thru 8 admitted & offered by the deft; exhibits 1 thru 11 offered and admitted by pltf with objections to exhibit 5, 6 & 8 with ruling on these exhibits reserved; hrg adj. CrtRptr Pat Gass (SLF) (Entered: 02/12/2004)
02/12/2004	49	SUPPLEMENTAL BRIEF by defendant in support of its motion to dismiss the EEOC's complaint with prejudice filed cs (DRR) (Entered: 02/13/2004)
02/13/2004	50	TRANSCRIPT of motion hearing as to EEOC & RPH Management, Inc. on 2/11/04 before Honorable Robert R Armstrong Jr, CrtRptr Patricia L Gass filed (CTS) (Entered: 02/17/2004)
02/27/2004	51	SUPPLEMENTAL BRIEF in opposition to motion to dismiss by pla filed cs (CTS) (Entered: 03/01/2004)
03/11/2004	52	MOTION by dft RPH Management, Inc. to strike certain items in EEOC's post-argument evidentiary submission and response to EEOC's Supp'l Brief filed cs (CTS) (Entered: 03/11/2004)
04/28/2004	53	Report and Recommendation filed (by Magistrate-Judge Robert R. Armstrong Jr) re: dft's motion to dismiss [3-1] (CTS) Modified on 05/04/2004 (Entered: 04/28/2004)
04/28/2004	54	52 - ORDER re motion to strike certain items in EEOC's post-argument evidentiary submission [52-1] - as to #1 - DENIED; as to #2 - Objection sustained, except to the extent that it is noted that the EEOC has attempted to engage in negotiations after the filing of this lawsuit, for whatever worth that might be (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 05/04/2004)

05/12/2004	55	OBJECTIONS by plaintiff to [53-1] filed cs (CTS) (Entered: 05/13/2004)
06/01/2004	56	RESPONSE by dft RPH Management, Inc. to pla's objection [55-1] filed cs (CTS) (Entered: 06/02/2004)
08/11/2004	57	ORDER adopting Report and Recommendation [53-1], and the case dismissed with prejudice based on its failure to conciliate in good faith, as more fully set out in the order filed (by Judge C L. Smith Jr) cm (MNH) (Entered: 08/11/2004)
08/17/2004		DOCKET modification (utility event) terminating motion to dismiss [3-1] (ruled on by doc. #57) (CTS) (Entered: 08/17/2004)
08/17/2004	58	46 - ORDER finding the motion for order for court to issue a scheduling order w/ ddl to complete conciliation discovery [46-1] moot (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 08/17/2004)
08/17/2004	59	39 - ORDER finding the motion to compel discovery from EEOC [39-1] moot (by Magistrate-Judge Robert R. Armstrong Jr) entered cm (CTS) (Entered: 08/17/2004)
08/25/2004	60	MOTION by dft RPH Management, Inc. for order for fees & expenses filed cs (CTS) (Entered: 08/26/2004)
08/25/2004	61	BILL of costs submitted by dft RPH Management, Inc. filed cs (CTS) (Entered: 08/26/2004)
08/27/2004	62	ORDER re doc #60, plas shall file a response w/in 30 days filed (by Magistrate-Judge Robert R. Armstrong Jr) cm (CTS) (Entered: 08/31/2004)
09/30/2004	63	Notice of dft of filing of attorney time records in response to order # w/sealed envelope of time records attached filed cs (CTS) (Entered: 10/01/2004)
10/01/2004	64	NOTICE of appearance for intervenor Samantha Robichaud by Deborah A Mattison filed cs (CTS) (Entered: 10/01/2004)
10/01/2004	65	NOTICE of appearance for intervenor Samantha Robichaud by Susan Donahue filed cs (CTS) (Entered: 10/01/2004)
10/04/2004	66	OPPOSITION by pla to motion for order for fees & expenses [60-1] filed cs (CTS) (Entered: 10/05/2004)
10/19/2004	67	ORDER that dft has 10 days to file a written reply to EEOC'S opposition to dft's motion for atty's fees and costs filed (by Magistrate-Judge Robert R. Armstrong Jr cm (CTS) (Entered: 10/19/2004)
11/01/2004	68	BRIEF by dft RPH Management, Inc. in support of its motion for fees & costs filed cs (CTS) (Entered: 11/02/2004)
11/15/2004	69	MOTION for Hearing re [61]dft's Motion for Bill of Costs, 60 & Motion for fees & expenses by Equal Employment Opportunity Commission. (CTS,) (Entered: 11/17/2004)
11/23/2004	70	JOINT MOTION to conduct scheduling conference by Equal Employment Opportunity Commission, RPH Management, Inc.. (CTS,) (Entered: 11/23/2004)
12/01/2004	71	ORDER entered re 70 Motion for Hearing, ordering parties to conduct a 2nd planning meeting & submit a revised scheduling order by 12/30/04 . Signed by

		Judge Robert R Armstrong on 12/1/04. (CTS,) (Entered: 12/01/2004)
12/29/2004	72	REPORT of Rule 26(f) Planning Meeting. (CTS,) (Entered: 12/30/2004)
01/04/2005	73	SCHEDULING ORDER:Setting Discovery ddl of 8/31/2005 along w/ other time limits & conditions as set out.. Signed by Judge Robert R Armstrong on 1/4/05. (w/ Exhibit A attached)(CTS,) (Entered: 01/04/2005)
01/04/2005	74	ORDER directing parties to notify Clerk if they wish for this Mag-Judge to exercise jurisdiction in this case as set out. Signed by Judge Robert R Armstrong (w/ Consent Form attached)(CTS,) (Entered: 01/04/2005)
01/11/2005	75	ORDER REFERRING CASE to Mediation as set out; while this action is referred to the ADR program, all proceedings are STAYED for a period of sixty days.. Signed by Judge Robert R Armstrong on 1/11/05. (CTS,) (Entered: 01/11/2005)
02/04/2005	76	MOTION to Stay <i>Proceedings</i> by RPH Management, Inc.. (Lindsay, Heather) (Entered: 02/04/2005)
02/07/2005		ORDER granting 76 Motion to Stay, the parties shall inform the court as soon as practical as to the results of mediation. . Signed by Judge Robert R Armstrong on 2/07/2005. (JSR,) (Entered: 02/07/2005)
03/14/2005	77	Second MOTION to Stay <i>Proceedings</i> by RPH Management, Inc.. (Lindsay, Heather) (Entered: 03/14/2005)
03/15/2005		ORDER granting 77 Motion to Stay. The parties shall inform the court as soon as practical after April 18, 2005, of the results of mediation. Signed by Judge Robert R Armstrong on 03/15/2005. (JSR,) (Entered: 03/15/2005)
05/02/2005	78	Joint MOTION to Dismiss by RPH Management, Inc.. (Attachments: # 1 Text of Proposed Order to Dismiss with Prejudice)(Powell, Charles) (Entered: 05/02/2005)
05/03/2005	79	ORDER granting 78 stipulation of dismissal of Intervenor Robichaud & dft RHP Management; Robichaud's intervenor complaint is DISMISSED W/ PREJUDICE w/ these parties bearing their own costs. Signed by Judge Robert R Armstrong on 5/3/05. (CTS,) (Entered: 05/03/2005)
05/03/2005	80	MOTION to Amend/Correct <i>Clerical Error</i> by RPH Management, Inc.. (Attachments: # 1 Text of Proposed Order to Correct Clerical Error)(Powell, Charles) (Entered: 05/03/2005)
05/04/2005	81	ORDER as set out re 80 Motion to Amend/Correct - amending 5/3/05 Order to correct the name of the dft as RPH Management, Inc.. Signed by Judge Robert R Armstrong on 5/4/05. (CTS,) (Entered: 05/04/2005)
06/21/2005	82	MOTION for Extension of Time <i>FOR APPEAL</i> by Equal Employment Opportunity Commission. (Barrett, Mason) (Entered: 06/21/2005)
06/23/2005		Oral argument on EEOC's motion to extend time to appeal is set for 6/28/2005 02:00 PM before Magistrate-Judge Robert R Armstrong.. Signed by Judge Robert R Armstrong on 06/23/2005. (JSR,) (Entered: 06/23/2005)

06/27/2005	83	RESPONSE to Motion re 82 MOTION for Extension of Time <i>FOR APPEAL</i> filed by RPH Management, Inc.. (Lindsay, Heather) (Entered: 06/27/2005)
06/27/2005		Oral argument set for 6/28/05 at 2:00 p.m. is canceled. A ruling will be entered on the parties' submissions. Signed by Judge Robert R Armstrong on 06/27/2005. (JSR,) (Entered: 06/27/2005)
06/27/2005	84	REPLY to Response to Motion re 82 MOTION for Extension of Time <i>FOR APPEAL</i> filed by Equal Employment Opportunity Commission. (Guerrier, Charles) (Entered: 06/27/2005)
06/28/2005	85	ORDER as set out granting 82 EEOC's Motion for Extension of Time . Signed by Judge Robert R Armstrong on 6/28/05. (CTS,) (Entered: 06/28/2005)
07/22/2005	86	ORDER re 60 Motion for fees & expenses as set out, querying EEOC & RPH as to whether they would consent to the jurisdiction of this magistrate judge to exercise full jurisdiction over this motion - if so the attached form should be signed & filed w/ the Clerk no later than 8/3/05 . Signed by Judge Robert R Armstrong on 7/22/05. (CTS,) (Entered: 07/22/2005)
08/02/2005	87	CONSENT to Jurisdiction by US Magistrate Judge by Equal Employment Opportunity Commission & RPH Management, Inc.. Case reassigned to Magistrate Judge Robert R Armstrong. (CTS,) Additional attachment(s) added on 8/3/2005 (CTS,). (Entered: 08/02/2005)
09/02/2005	88	REPORT AND RECOMMENDATION re 60 Motion for Miscellaneous Relief filed by RPH Management, Inc., Objections to R&R due by 9/19/2005. Signed by Judge Robert R Armstrong on 9/1/05. (CTS,) (Entered: 09/02/2005)
09/02/2005		ORDER -- On September 1, 2005, the Court in this matter inadvertently filed a Report and Recommendation instead of a Memorandum of Opinion and Order. Said Report and Recommendation is hereby set aside. Signed by Judge Robert R Armstrong on 09/02/05. (JTR) (Entered: 09/02/2005)
09/02/2005	89	MEMORANDUM OPINION. Signed by Judge Robert R Armstrong on 09/02/05. (JTR) (Entered: 09/02/2005)
09/02/2005	90	ORDER denying 60 Motion for Attorney Fees and Expenses. Signed by Judge Robert R Armstrong on 09/02/05. (JTR) (Entered: 09/02/2005)
09/30/2005	91	NOTICE OF APPEAL by RPH Management, Inc.. (Lindsay, Heather) Modified on 10/4/2005 (CTS,). (Entered: 09/30/2005)
09/30/2005		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 91 Notice of Appeal (CTS,) (Entered: 09/30/2005)
09/30/2005		USCA Appeal Fees received \$ 255.00 receipt number 200-219352 re 91 Notice of Appeal filed by RPH Management, Inc., (CTS,) (Entered: 10/04/2005)
10/07/2005		USCA Case Number 05-15457G for 91 Notice of Appeal filed by RPH Management, Inc.,. (CTS,) (Entered: 10/14/2005)
10/28/2005	92	NOTICE OF APPEAL by Equal Employment Opportunity Commission. (Guerrier, Charles) Modified on 10/28/2005 (CTS,). (Entered: 10/28/2005)

10/28/2005		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 92 Notice of Appeal (CTS,) (Entered: 10/28/2005)
11/03/2005		USCA Case Number 05-15457GG for 92 Notice of Appeal filed by Equal Employment Opportunity Commission,. (CTS,) (Entered: 11/04/2005)
11/23/2005	93	DESIGNATION of Record on Appeal by RPH Management, Inc. re 91 Notice of Appeal (Attachments: # 1 Exhibit A# 2 Exhibit 1# 3 Exhibit 2 - Part a# 4 Exhibit 2 - Part b# 5 Exhibit 3# 6 Exhibit 4 - Part a# 7 Exhibit 4 - Part b# 8 Exhibit 5 -Part a# 9 Exhibit 5 - Part b# 10 Exhibit 5 - Part c# 11 Exhibit 5 - Part d# 12 Exhibit 5 - Part e# 13 Exhibit 6 - Part a# 14 Exhibit 6 - Part b# 15 Exhibit 6 - Part c# 16 Exhibit 6 - Part d# 17 Exhibit 7# 18 Exhibit 8)(Lindsay, Heather) (Entered: 11/23/2005)
11/30/2005	94	ORDER Denying Motion to Supplement Record. Signed by Judge Robert R Armstrong on 11/30/05. (JTR) (Entered: 11/30/2005)
12/01/2005	95	MOTION for Reconsideration re 94 Order <i>Denying Defendant's Motion to Supplement the Record</i> by RPH Management, Inc.. (Barkley, Justin) (Entered: 12/01/2005)
12/01/2005	96	MOTION to Amend/Correct 95 MOTION for Reconsideration re 94 Order <i>Denying Defendant's Motion to Supplement the Record</i> by RPH Management, Inc.. (Barkley, Justin) (Entered: 12/01/2005)
12/01/2005		ORDER granting by consent of the parties 95 Motion for Reconsideration, finding as moot 96 Motion to Amend/Correct. Within 24 hours the Defendant is DIRECTED to submit to the clerk of the court a computer diskette with individual PDF files containing the separate record documents she wishes to be added. Signed by Judge Robert R Armstrong on 12/01/05. (JTR) (Entered: 12/01/2005)
12/01/2005		ORDER -- After reconsideration, the previous order entered in this case is hereby VACATED. The motion for reconsideration is GRANTED by consent. The motion to correct clerical error is deemed MOOT. The Defendant is hereby DIRECTED to electronically file the documents with which it wishes to supplement the record. This should be done by filing a pleading entitled "Supplement to Record Pursuant to Court Order", and attaching the documents thereto. Additionally, Defendant is required to provide a hard copy of this pleading and its attachments to the clerk of court. Signed by Judge Robert R Armstrong on 12/01/05. (JTR) (Entered: 12/01/2005)
12/02/2005	97	NOTICE by RPH Management, Inc. of <i>Filing Supplement to Record Pursuant to Court Order with Attached Exhibits</i> (Attachments: # 1 Exhibit 1# 2 Exhibit 2 Part a# 3 Exhibit 2 Part b# 4 Exhibit 3# 5 Exhibit 4 Part a# 6 Exhibit 4 Part b# 7 Exhibit 5 Part a# 8 Exhibit 5 Part b# 9 Exhibit 5 Part c# 10 Exhibit 5 Part d# 11 Exhibit 5 Part e# 12 Exhibit 6 Part a# 13 Exhibit 6 Part b# 14 Exhibit 6 Part c# 15 Exhibit 6 Part d# 16 Exhibit 7# 17 Exhibit 8 - Re Notice of Appeal Filed 9-30-05)(Lindsay, Heather) (Entered: 12/02/2005)
12/23/2005	98	ORDER of USCA filed 12/21/05 & issued as the mandate of this court re 91 Notice of Appeal filed by RPH Management Inc. - "The parties' joint motion to dismiss the cross-appeal w/ prejudice, w/ the parties bearing their own costs, is GRANTED. This Order shall not affect the appeal filed by Appellant".

		(Anderson & Birch, Cr.Jdgs) (CTS,) Modified on 1/25/2006 (CTS,). (Entered: 12/29/2005)
07/18/2006	99	USCA JUDGMENT w/ attached opinon filed on 5/22/06 & issued as a mandate of this court on 7/17/06 as to 92 Notice of Appeal filed by Equal Employment Opportunity Commission - PER CURIAM: After review & oral argument, we find no reversible error in the magistrate judge's order dated 9/2/05. (Hull & Wilson, Cr.Jdgs & Duplantier, Dist.Judge) (CTS,) (Entered: 07/19/2006)
07/19/2006		Remark: Original record w/ exhibits returned by USCA. (CTS,) (Entered: 07/19/2006)

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