

HLJ, TERMED

**U.S. District Court
Eastern District of Arkansas (Little Rock)
CIVIL DOCKET FOR CASE #: 4:99-cv-00486-JMM**

EEOC v. Kohler Company
Assigned to: Judge James M. Moody
Demand: \$0
Case in other court: 02-02447
USCA8, :00-00002-02447
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 07/08/1999
Date Terminated: 03/05/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Celia S. Liner**
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V.

Defendant**Kohler Company***doing business as*

Sterling Plumbing Group, Inc.

represented by **Steven W. Quattlebaum**

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Date Filed	#	Docket Text
07/08/1999	1	TITLE VII COMPLAINT with jury demand, no summons issued (cdw) (Entered: 07/09/1999)
08/16/1999	<u>2</u>	WAIVER OF SERVICE OF SUMMONS upon defendant Kohler Company on 8/9/99 (former empl) (Entered: 08/17/1999)
08/16/1999	<u>3</u>	ANSWER by defendant; jury demand (former empl) (Entered: 08/17/1999)
09/07/1999	<u>4</u>	REQUEST by plaintiff for for admissions of fact (bmt) (Entered: 09/07/1999)
10/01/1999	<u>5</u>	RESPONSE by defendant to pltfs first request for admissions of fact [4-1] (former empl) (Entered: 10/04/1999)
11/02/1999	<u>6</u>	NOTICE OF ATTORNEY APPEARANCE for plaintiff by Pamela B. Dixon (bmt) (Entered: 11/02/1999)
02/24/2000	<u>7</u>	CONSENT PROTECTIVE ORDER by Judge Stephen M. Reasoner regarding confidential documents and other material contained in the personnel file(s) of any employee of deft, produced by deft to pltf (cc: all counsel) lej) (Entered: 02/24/2000)
04/28/2000	<u>8</u>	SCHEDULING ORDER (DOC) setting jury trial for 9:30 the week of 10/2/00 in Little Rock, AR; discovery due 8/7/00; pretrial info sheet & motions are due 9/5/00 (cc: all counsel) (former empl) Modified on 05/02/2000 (Entered: 05/01/2000)

05/11/2000	9	NOTICE by plaintiff of taking deposition of Howard Bailey on 5/3/00 (bmt) (Entered: 05/12/2000)
05/11/2000	10	NOTICE by plaintiff of taking deposition of Lyle Tom Brennan on 5/3/00 (bmt) (Entered: 05/12/2000)
05/11/2000	11	NOTICE by plaintiff of taking deposition of Charles Davis on 5/2/00 (bmt) (Entered: 05/12/2000)
05/11/2000	12	NOTICE by plaintiff of taking deposition of John Dickson on 5/2/00 (bmt) (Entered: 05/12/2000)
05/11/2000	13	NOTICE by plaintiff of taking deposition of Richard Mays on 5/2/00 (bmt) (Entered: 05/12/2000)
05/11/2000	14	NOTICE by plaintiff of taking deposition of Rebecca Miller on 5/3/00 (bmt) (Entered: 05/12/2000)
07/05/2000	15	NOTICE by plaintiff of taking deposition of Richard E. May on 7/20/00 (bmt) (Entered: 07/06/2000)
07/05/2000	16	NOTICE by plaintiff of taking deposition of James C. Froud on 7/20/00 (bmt) (Entered: 07/06/2000)
07/05/2000	17	NOTICE by plaintiff of taking deposition of Royce D. Hulsey on 7/20/00 (bmt) (Entered: 07/06/2000)
07/21/2000	18	MOTION by defendant to substitute attorney Steven W. Quattlebaum and the firm of Quattlebaum, Grooms, Tull & Burrow PLLC in place of the firm of Williams and Anderson LLP (bmt) (Entered: 07/21/2000)
07/24/2000	19	ORDER by Judge Stephen M. Reasoner granting motion to substitute attorney Steven W. Quattlebaum and the firm of Quattlebaum, Grooms, Tull & Burrow PLLC in place of the firm of Williams and Anderson LLP [18-1] (cc: all counsel) (former empl) (Entered: 07/25/2000)
08/21/2000	20	MOTION by plaintiff for a settlement conference (bmt) (Entered: 08/22/2000)
09/18/2000	21	ORDER (DOC) jury trial rescheduled for 9:30 2/20/01 in Little Rock ; granting motion for a settlement conference [20-1]; case is referred to Magistrate Judge Jones to conduct a settlement conference (cc: all counsel) (bmt) (Entered: 09/19/2000)
09/26/2000	22	ORDER (DOC) settlement conference scheduled for 9:30 on 11/1/00 before Mag. Judge Jones in Little Rock (cc: all counsel) (bmt) (Entered: 09/27/2000)
11/01/2000		CLERK'S MINUTES: Settlement conference was held before U.S. Magistrate Judge Henry L. Jones, Jr. in Little Rock, Arkansas. The parties did not reach an agreement (conference not recorded). CRD Ruthie Wrather. (rmw) Modified on 11/01/2000 (Entered: 11/01/2000)
12/06/2000	23	MOTION by defendant for summary judgment (bmt) (Entered: 12/07/2000)
12/06/2000	24	BRIEF by defendant in support of motion for summary judgment [23-1] (bmt) (Entered: 12/07/2000)

12/06/2000	25	STATEMENT OF FACTS (Local Rule 56.1) by defendant in support of motion for summary judgment [23-1] (bmt) (Entered: 12/07/2000)
12/12/2000	26	MOTION by EEOC to strike defts mot for summary judgment (former empl) (Entered: 12/12/2000)
12/15/2000	27	RESPONSE by defendant to motion to strike defts mot for summary judgment [26-1] (bmt) (Entered: 12/18/2000)
01/11/2001	28	ORDER by Judge Stephen M. Reasoner denying motion to strike deft's mot for summary judgment [26-1]; pltf is directed to file a resp to the motion for summary judgment [23-1] by 1/22/01 (cc: all counsel) (bmt) (Entered: 01/11/2001)
01/22/2001	29	PRETRIAL DISCLOSURE SHEET by plaintiff; estimated length of trial 2 to 3 days (bmt) (Entered: 01/23/2001)
01/22/2001	30	RESPONSE by plaintiff in opposition to motion for summary judgment [23-1] (bmt) (Entered: 01/23/2001)
01/22/2001	31	RESPONSE by plaintiff to deft's statement of undisputed material facts [25-1] (bmt) (Entered: 01/23/2001)
01/23/2001	32	PRETRIAL DISCLOSURE SHEET by defendant; estimated length of trial 2 to 3 days (bmt) (Entered: 01/23/2001)
01/23/2001	33	MOTION by plaintiff to amend complt to join Rule 19(a) party (bmt) (Entered: 01/23/2001)
01/26/2001	34	RESPONSE by defendant to motion to amend complt to join Rule 19(a) party [33-1] (bmt) (Entered: 01/30/2001)
01/31/2001	35	REPLY by defendant to response to motion for summary judgment [23-1] (bmt) (Entered: 02/01/2001)
02/01/2001	36	REPLY by plaintiff to response to motion to amend complt to join Rule 19(a) party [33-1] (bmt) (Entered: 02/01/2001)
02/06/2001	37	MOTION by defendant in limine regarding the alleged use of racial slurs (bmt) (Entered: 02/07/2001)
02/06/2001	38	BRIEF by defendant in support of motion in limine regarding the alleged use of racial slurs [37-1] (bmt) (Entered: 02/07/2001)
02/06/2001	39	MOTION by defendant in limine regarding comparison employees (bmt) (Entered: 02/07/2001)
02/06/2001	40	BRIEF by defendant in support of motion in limine regarding comparison employees [39-1] (bmt) (Entered: 02/07/2001)
02/06/2001	41	MOTION by defendant in limine regarding policies and procedures (bmt) (Entered: 02/07/2001)
02/06/2001	42	BRIEF by defendant in support of motion in limine regarding policies and procedures [41-1] (bmt) (Entered: 02/07/2001)
02/07/2001	43	MOTION by plaintiff in limine to strike all testimony or documents relating to John Reynolds vs Natural Gas Pipeline (bmt) Modified on 02/08/2001 (Entered: 02/07/2001)

		02/08/2001)
02/07/2001	44	MEMORANDUM by plaintiff in support of motion in limine to strike all testimony or documents relating to John Reynolds vs Natural Gas Pipeline [43-1] (bmt) (Entered: 02/08/2001)
02/09/2001	45	MOTION by plaintiff in limine regarding John Reynolds' absentee records and garnishment (bmt) (Entered: 02/09/2001)
02/09/2001	46	MEMORANDUM by plaintiff in support of motion in limine regarding John Reynolds' absentee records and garnishment [45-1] (bmt) (Entered: 02/09/2001)
02/12/2001	47	RESPONSE and objection by plaintiff to motion in limine regarding the alleged use of racial slurs [37-1] (bmt) (Entered: 02/12/2001)
02/12/2001	48	RESPONSE by plaintiff to motion in limine regarding policies and procedures [41-1] (bmt) (Entered: 02/12/2001)
02/12/2001	49	RESPONSE by plaintiff to motion in limine regarding comparison employees [39-1] (bmt) (Entered: 02/12/2001)
02/13/2001	50	RESPONSE by defendant to motion in limine regarding John Reynolds' absentee records and garnishment [45-1] (bmt) (Entered: 02/13/2001)
02/13/2001	51	BRIEF by defendant in support of response to motion in limine regarding Reynolds' absentee records and garnishment [50-1] (bmt) (Entered: 02/13/2001)
02/13/2001	52	RESPONSE by defendant to motion in limine to strike all testimony or documents relating to John Reynolds vs Natural Gas Pipeline [43-1] (bmt) (Entered: 02/13/2001)
02/13/2001	53	BRIEF by defendant in support of response to motion in limine [52-1] (bmt) (Entered: 02/13/2001)
02/16/2001	54	ORDER by Judge Stephen M. Reasoner denying motion for summary judgment [23-1]; granting in part and denying in part def't's motion in limine regarding the alleged use of racial slurs [37-1]; granting in part and denying in part def't's motion in limine regarding comparison employees [39-1]; granting motion in limine regarding policies and procedures [41-1]; granting motion in limine to strike all testimony or documents relating to John Reynolds vs Natural Gas Pipeline [43-1]; conditionally granting pltf's motion in limine regarding John Reynolds' absentee records and garnishment [45-1]; denying motion to amend complt to join Rule 19(a) party [33-1] (cc: all counsel) (bmt) (Entered: 02/16/2001)
02/20/2001		CLERK'S MINUTES: Jury trial began. 12 person jury was selected, sworn and seated. After opening statements, plaintiff's proof began. Court recessed at 5:05 pm, to resume on 2/21/01. (Ct. Reporter: Genie Power) (former empl) (Entered: 02/21/2001)
02/21/2001		CLERK'S MINUTES: Day 2 of jury trial. Plaintiff's proof continues. Court recessed at 5:15 pm, to resume on 2/22/01. (Ct. Reporter: Genie Power) (former empl) (Entered: 02/21/2001)
02/22/2001		CLERK'S MINUTES: Day 3 of jury trial. Plaintiff rested; defendant's proof began. Court recessed at 5:20 pm, to resume on 2/23/01. (Ct. Reporter: Genie

		Power) (former empl) (Entered: 02/22/2001)
02/23/2001	55	CLERK'S MINUTES: Day 4 of jury trial; defendant's proof concluded; defendant rested and trial ended , after the Court's final instructions, and closing arguments, the jury retired to deliberate at 11:20 a.m., returning verdicts on interrogatories at 5:50 p.m. Exhibits were returned to the attorneys and receipts obtained. (Ct. Reporter: Genie Power) (former empl) (Entered: 02/26/2001)
02/23/2001	56	VERDICT for plaintiff EEOC against defendant Kohler Company on interrogatories. Int.#1: Do you find that deft discharged John R. Reynolds and that John R. Reynolds' race was a motivating factor in the decision to terminate his employment. Answer: No. (Since answer was "No", Int. #2 did not have to be answered.) (former empl) (Entered: 02/26/2001)
02/23/2001	57	VERDICT - Int. #3: Do you find that deft discharged John R. Reynolds and that John R. Reynolds' complaint of racial discrimination was a motivating factor in the decision to terminate his employment? Answer: Yes. (former empl) (Entered: 02/26/2001)
02/23/2001	58	VERDICT - Int. #4: Has it been proved by the preponderance of the evidence that deft would have discharged John Reynolds regardless of his complaint of racial discrimination? Answer: No. (former empl) (Entered: 02/26/2001)
02/23/2001	59	VERDICT - Int. #5: We, the jury, find John R. Reynolds damages to be: Compensatory: \$40,000 Wages & Fringe Benefits; None for Other Damages; and, Punitive: \$50,000. (former empl) (Entered: 02/26/2001)
02/23/2001	60	Jury instructions given to the jury by the court. (former empl) (Entered: 02/26/2001)
02/23/2001	61	Jury instructions submitted by Counsel for defendant and refused by Court. (Deft's proffered Instructions Nos. 1 and 2.) (former empl) (Entered: 02/26/2001)
03/01/2001	62	MOTION and memorandum of law by plaintiff for reinstatement and for injunctive relief (bmt) (Entered: 03/01/2001)
03/05/2001	63	JUDGMENT: by Judge Stephen M. Reasoner purs to the jury verdict returned on 2/23/01, judgment is entered in favor of deft & against pltf on the claim of race discrimination; judgment is entered in favor of pltf and against deft on the claim of retaliation and pltf is awarded compensatory damages in the amount of \$40,000.00 and punitive damages in the amount of \$50,000.00 with interest at the rate of 6.052% until paid; pltf is allowed its costs (cc: all counsel) (bmt) Modified on 03/15/2001 (Entered: 03/06/2001)
03/12/2001	64	MOTION by defendant for judgment as a matter of law , or in the alternative for new trial , or in the further alternative for remittitur (bmt) (Entered: 03/13/2001)
03/12/2001	65	BRIEF by defendant in support of motion for judgment as a matter of law [64-1], or for new trial [64-2], or for remittitur [64-3] (bmt) (Entered: 03/13/2001)
03/15/2001	66	RESPONSE by defendant to motion for reinstatement [62-1] and for injunctive relief [62-2] (bmt) (Entered: 03/15/2001)
03/15/2001	67	BRIEF by defendant in support of response to motion for reinstatement and injunctive relief [66-1] (bmt) (Entered: 03/15/2001)

03/28/2001	68	RESPONSE by plaintiff in opposition to motion for judgment as a matter of law [64-1], for new trial [64-2], or for remittitur [64-3] (bmt) (Entered: 03/28/2001)
04/06/2001	69	REPLY by defendant to response to motions for judgment as a matter of law [64-1],for new trial [64-2] & for remittitur [64-3] (former empl) (Entered: 04/09/2001)
05/04/2001	70	MOTION by plaintiff for costs (bmt) (Entered: 05/07/2001)
05/09/2001	71	MOTION by defendant for reduction of pltf's bill of costs (bmt) (Entered: 05/10/2001)
05/09/2001	72	BRIEF by defendant in support of motion for reduction of pltf's bill of costs [71-1] (bmt) (Entered: 05/10/2001)
05/17/2001	73	RESPONSE by plaintiff to motion for reduction of bill of costs [71-1] (bmt) (Entered: 05/17/2001)
05/21/2001	74	REPLY by defendant to response to motion for reduction of pltf's bill of costs [71-1] (bmt) (Entered: 05/21/2001)
11/14/2001	75	MOTION by plaintiff EEOC requesting a status conference (former empl) (Entered: 11/14/2001)
02/26/2002	76	SUPPLEMENTAL BRIEF by defendant in support of motion for judgment as a matter of law [64-1], for new trial [64-2], or in the alternative, for remittitur [64-3] (bmt) (Entered: 02/27/2002)
03/12/2002	77	RESPONSE by plaintiff in opposition to deft's supplemental brief in support of its motion for judgment as a matter of law or, in the alternative, for a new trial or, in the further alternative, for remittitur [76-1] (bmt) (Entered: 03/12/2002)
03/19/2002	78	REPLY by defendant to pltf's response to supplemental brief in support of deft's motion for judgment as a matter of law or, in the alternative, for a new trial or, in the further alternative for remittitur [77-1] [76-1] (bmt) (Entered: 03/20/2002)
03/27/2002	79	ORDER by Judge Stephen M. Reasoner granting motion for judgment as a matter of law [64-1]; finding the motions for new trial [64-2], for remittitur [64-3], for reinstatement [62-1], for injunctive relief [62-2], for costs [70-1], and for reduction of pltf's bill of costs moot [71-1] (cc: all counsel) (bmt) (Entered: 03/28/2002)
03/27/2002	80	JUDGMENT AS A MATTER OF LAW: by Judge Stephen M. Reasoner purs to the Order entered this date and FRCP Rule 50(b)(1)(C), judgment is entered as a matter of law in favor of deft and against pltf on pltf's retaliation claim and pltf's complt is disp w/prej; judgment on the retaliation claim entered on 3/5/01 purs to the jury verdict is set aside (cc: all counsel) (bmt) (Entered: 03/28/2002)
04/02/2002	81	MOTION by defendant for costs (bmt) (Entered: 04/02/2002)
04/16/2002	82	OBJECTIONS by plaintiff to motion for costs [81-1] (bmt) (Entered: 04/16/2002)
04/22/2002	83	REPLY by defendant to objection to motion for costs [81-1] (bmt) (Entered: 04/22/2002)

05/07/2002	84	COURT REPORTER'S TRANSCRIPT of trial held before Judge Stephen M. Reasoner on 2/20/01 (volume 1) (bmt) (Entered: 05/08/2002)
05/07/2002	85	COURT REPORTER'S TRANSCRIPT of trial held before Judge Stephen M. Reasoner on 2/21/02 (volume 2) (bmt) (Entered: 05/08/2002)
05/07/2002	86	COURT REPORTER'S TRANSCRIPT of trial held before Judge Reasoner on 2/22/01 (volume 3) (bmt) (Entered: 05/08/2002)
05/07/2002	87	COURT REPORTER'S TRANSCRIPT of trial held before Judge Reasoner on 2/23/01 (volume 4) (bmt) (Entered: 05/08/2002)
05/24/2002	88	NOTICE of appeal by plaintiff EEOC from District Court decision [79-1], [80-1] (2 certified copies to Clerk 8USCA), (cc: counsel) (dac) (Entered: 05/24/2002)
05/28/2002	89	ORDER by Judge Stephen M. Reasoner granting motion for costs [81-1]; cost are assessed against pltf in the amount of \$516.55; finding the motion requesting a status conference moot [75-1] (cc: all counsel) (bmt) (Entered: 05/29/2002)
06/10/2002		DOCKETING LETTER: 8 USCA Number 02-2447; counsel to proceed on appendix (dac) (Entered: 06/10/2002)
06/18/2002	90	MOTION by plaintiff EEOC to stay taxing costs until matter is resolved by the 8th Cir (dac) (Entered: 06/18/2002)
07/01/2002	91	RESPONSE by defendant Kohler Company to motion to stay taxing costs until matter is resolved by the 8th Cir [90-1] (dac) (Entered: 07/01/2002)
07/08/2002	92	REPLY by plaintiff to response to motion to stay taxing costs until matter is resolved by the 8th Cir [90-1] (jap) (Entered: 07/10/2002)
08/09/2002	93	ORDER by Judge Stephen M. Reasoner granting motion to stay taxing costs until matter is resolved by the 8th Cir [90-1] (cc: all counsel) (bmt) (Entered: 08/12/2002)
04/15/2003		DOCKET NOTE: 2 volumes of original files; 4 volumes transcripts; one expanding folder doc #23 forwarded to 8USCA, per telephone request of Scott, Records Manager (dac) (Entered: 04/15/2003)
09/22/2003	94	Opinion (8USCA) we reverse the District Court's grant of judgment as a matter of law, reinstate the jury's verdict, and remand for further proceedings consistent with this opinion (dac) (Entered: 09/22/2003)
09/22/2003	95	MANDATE from 8 USCA reversing and remanding the Decision of the District Court for proceedings consistent with the opinion of this court [Appeal [88-1] (original file remains in USCA8) (dac) Modified on 09/22/2003 (Entered: 09/22/2003)
09/25/2003	96	MOTION AND MEMORANDUM OF LAW by plaintiff to renew pltf's motion for reinstatement and injunctive relief and motion for costs and for post-judgment interest (bmt) (Entered: 09/26/2003)
10/09/2003	97	MOTION by defendant to renew its motion for judgment as a matter of law or, in the alternative, for new trial or, in the further alternative, for remittitur (bmt) (Entered: 10/10/2003)

10/09/2003	98	RESPONSE by defendant to motion and memorandum of law to renew pltf's motion for reinstatement and injunctive relief and motion for costs [96-1] and new motion for post-judgment interest [96-2] (bmt) (Entered: 10/10/2003)
10/21/2003	99	REPLY by plaintiff to response to motion and memorandum of law to renew pltf's motion for reinstatement and injunctive relief and motion for costs [96-1] and new motion for post-judgment interest [96-2] (bmt) (Entered: 10/21/2003)
10/21/2003	100	RESPONSE by plaintiff in opposition to deft's motion to renew its motion for judgment as a matter of law [97-1] or, in the alternative, for a new trial [97-2] or, for remittitur [97-3] (bmt) (Entered: 10/22/2003)
10/22/2003		DOCKET NOTE: original files returned from USCA8 (dac) (Entered: 10/22/2003)
10/29/2003	101	REPLY by defendant to pltf's response to motion to renew its motion for judgment as a matter of law [97-1] or, in the alternative, for a for new trial [97-2] or, in further alternative, for remittitur [97-3] (bmt) (Entered: 10/29/2003)
11/07/2003	102	MANDATE from 8 USCA the mandate is recalled and amended to grant the appellant interest from the date on which the judgment was originally entered in the district court. (dac) (Entered: 11/07/2003)
08/26/2004	103	ORDER OF REASSIGNMENT (DOC) Case reassigned to Judge James M. Moody (cc: all counsel) (tjj) (Entered: 08/27/2004)
09/29/2004	104	ORDER by Judge James M. Moody pltf's motion for reinstatement and injunctive relief [96-1] [96-2] are denied; pltf's request in lieu of reinstatement for front pay is denied without prejudice to renew within 30 days of the entry of this Order; pltf's motion for post-judgment costs is moot; deft's motions for judgment as a matter of law, for new trial and/or remittiture are denied (cc: all counsel) (tjj) (Entered: 09/29/2004)
10/13/2004	105	MOTION by plaintiff for relief from order mooting pltf's motion for costs and memorandum of law (lej) (Entered: 10/13/2004)
10/15/2004	106	RESPONSE by defendant Kohler Company to motion for relief from order mooting pltf's motion for costs [105-1] (rjh) (Entered: 10/18/2004)
10/26/2004	107	ORDER by Judge James M. Moody granting pltf's motion for costs; the Court finds that pltf's motion for costs should be granted in the amount of \$824.00 [70-1]; pltf's motion for relief from Order [105-1] is moot (cc: counsel) (tjj) Modified on 11/01/2004 (Entered: 10/27/2004)
12/14/2004	108	SATISFACTION OF JUDGMENT as to defendant (tjj) (Entered: 12/15/2004)

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Billable Pages:	6	Cost:	0.48
