

CLOSED, ENE, ICMS

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:98-cv-03441-SI**

EEOC v. KMart Corporation  
Assigned to: Judge Susan Illston  
Demand: \$300,000  
Cause: 42:12101 Americans w/ Disabilities Act (ADA)

Date Filed: 09/09/1998  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Jonathan T. Peck**  
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V.

**Defendant**

**KMart Corporation**

represented by **David R. Ongaro**

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*LEAD ATTORNEY*  
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V.

**Appellee**

**Charles E. Farnsworth**

*TERMINATED: 06/07/1999*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/09/1998	1	COMPLAINT - Civil Rights-employment discrimination ; Summons(es) issued; Fee status ex entered on 9/9/98 (); jury demand [3:98-cv-03441] (cgd, COURT STAFF) (Entered: 09/10/1998)
09/09/1998	2	ORDER RE COURT PROCEDURE and SCHEDULE by Judge Susan Illston : Proof of service to be filed by 10/26/98 ; counsels' case management statement to be filed by 12/29/98 ; initial case management conference will be held 2:00 1/8/99 . (cc: all counsel) (cgd, COURT STAFF) (Entered: 09/10/1998)
09/30/1998	3	RETURN OF SERVICE executed upon defendant KMart Corporation on 9/18/98 by serving Rebecca Delgado. [3:98-cv-03441] (cgd, COURT STAFF) (Entered: 10/01/1998)
10/06/1998	4	ANSWER by defendant KMart Corporation to complaint [1-1] [3:98-cv-

		03441] (cgd, COURT STAFF) (Entered: 10/06/1998)
12/23/1998	5	JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [3:98-cv-03441] (cgd, COURT STAFF) (Entered: 12/29/1998)
01/11/1999	6	MINUTES: ( C/R n/a) ( Hearing Date: 1/8/99) Initial case management conference - Held. Case continued to 6/4/99 at 2:30p.m. for further Case Management Conference. Case continued to 10/29/99 at 9:00a.m. for motions (motion due 9/29/99, oppo 10/8/99, reply 10/15/99). Pretrial conference 12/21/99 at 3:30p.m. Jury trial 1/3/2000 (8 days) ; discovery cutoff 9/17/99 ; designate experts by 11/1/99; expert discovery cutoff 11/30/99 This case shall be placed into the Court's ENE program ; for referral to Early Neutral Evaluation (ADR L.R.5) . Counsel shall complete a few depositions prior to the ENE to ensure a productive session. [3:98-cv-03441] (cgd, COURT STAFF) (Entered: 01/14/1999)
01/11/1999	7	PRETRIAL PREPARATION ORDER by Judge Susan Illston : Further Case Management Conference set for 2:30 6/4/99 ; Discovery cutoff set for 11/30/99 ; Deadline for all motion filings is 9/29/99 ; All motions will be heard by 9:00 10/29/99 ; Pretrial conference set for 3:30 12/21/99 ; Jury trial will be held 8:30 1/3/2000 ;(8 days) . This case shall be placed into the Court's ENE program. Counsel shall complete a few depositions prior to the ENE to ensure a productive session. ( Date Entered: 1.14.99) (cc: all counsel) [3:98-cv-03441] (cgd, COURT STAFF) (Entered: 01/14/1999)
01/15/1999	8	ADR CLERK'S NOTICE re [6-1] of Referral to Early Neutral Evaluation. [3:98-cv-03441] (kq, COURT STAFF) (Entered: 01/15/1999)
01/27/1999	9	CLERK'S NOTICE of appointment of evaluator, Charles E. Farnsworth [3:98-cv-03441] (kq, COURT STAFF) (Entered: 01/27/1999)
03/01/1999	10	EVALUATOR'S Letter to Counsel ENE hearing will be held 9:30 5/4/99 ; [3:98-cv-03441] (kq, COURT STAFF) (Entered: 03/01/1999)
04/28/1999	11	EVALUATOR'S Letter to Counsel ENE hearing will be held 9:30 5/28/99 ; [3:98-cv-03441] (kq, COURT STAFF) (Entered: 04/28/1999)
05/25/1999	12	ORDER by Judge Susan Illston withdrawing attorney Gilmore F. Diekmann of Bronson Bronson & McKinnon, attorney David R. Ongaro for KMart Corporation and substituting attorney Gilmore F. Diekmann Jr of Seyfarth Shaw Fairweather & Geraldson ( Date Entered: 5/27/99) (cc: all counsel) [3:98-cv-03441] (ga, COURT STAFF) (Entered: 05/27/1999)
05/28/1999	13	CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [3:98-cv-03441] (ga, COURT STAFF) (Entered: 06/03/1999)
06/07/1999	14	CERTIFICATION OF ADR SESSION ENE (ADR LR 5) process COMPLETE; CASE SETTLED. filed by neutral Early Neutral Evaluator Charles E. Farnsworth. Session held on 05/28/99. (kq, COURT STAFF) (Entered: 06/07/1999)

06/21/1999	15	STIPULATION and ORDER by Judge Susan Illston : dismissing case (cc: all counsel) [3:98-cv-03441] (ga, COURT STAFF) (Entered: 06/23/1999)
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