

(RCx), CLOSED, DISCOVERY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:04-cv-09765-RGK-RC**

Sarah Schreiner v. Genesco Inc et al
Assigned to: Judge R. Gary Klausner
Referred to: Magistrate Judge Rosalyn M. Chapman
Case in other court: Los Angeles County Superior Court,
BC323423

Date Filed: 12/01/2004
Date Terminated: 12/21/2005
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Cause: 28:1441 Notice of Removal – Employment
Discrimination

Plaintiff

Sarah Schreiner
*individually and on behalf of all others
similarly situated*

represented by **Clay Robbins , III**
Magana Cathcart &McCarthy
1801 Avenue of the Stars, Ste 600
Los Angeles, CA 90067-5899
310-553-6630
Fax: 310-407-2295
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Timothy Cathcart
Magana Cathcart &McCarthy
1801 Avenue of the Stars, Ste 600
Los Angeles, CA 90067
310-553-6630
Fax: 310-407-2295
Email: ptc@mcmc-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Genesco Inc

represented by **Andrew C Peterson**
Morgan Lewis &Bockius
300 S Grand Ave, 22nd Fl
Los Angeles, CA 90071-3132
213-612-2500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicole Ann-Jeanette Gustafson
Morgan Lewis and Bockius
300 S Grand Ave, 22nd Fl
Los Angeles, CA 90071-3132
213-612-2500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Does

1 through 100, inclusive

Date Filed	#	Docket Text
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12/01/2004	<u>1</u>	NOTICE OF REMOVAL from Los Angeles County Superior Court, case number BC323423 with copy of summons and complaint. Case assigned to Judge R. Gary Klausner, Discovery to Magistrate Judge Rosalyn M Chapman. (Filing fee \$150) filed by defendant Genesco Inc.(jag,) (Entered: 12/08/2004)
12/01/2004		FAX number for Attorney Nicole Ann-Jeanette Gustafson, Andrew C Peterson is 213-612-2501. (jag,) (Entered: 12/08/2004)
12/01/2004		FAX number for Attorney Peter T Cathcart, Clay Robbins III is 310-785-9143. (jag,) (Entered: 12/08/2004)
12/01/2004	<u>2</u>	NOTICE of Interested Parties filed by Defendant Genesco Inc. (jag,) (Entered: 12/08/2004)
12/01/2004	<u>3</u>	DECLARATION of NICOLE A-J GUSTAFSON in support of Notice of Removal, 1 filed by Defendant Genesco Inc. (jag,) (Entered: 12/08/2004)
12/03/2004	<u>4</u>	STANDING ORDER REGARDING NEWLY ASSIGNED CASES by Judge R. Gary Klausner: All counsel are hereby ordered to familiarize themselves with the FRCP particularly FRCP 16, 26, the Local Rules of the Central District of California, this Court's Order for Jury Trial and this Court's Order for Court Trial (see document for further details).(mch,) (Entered: 12/14/2004)
12/13/2004	<u>5</u>	MINUTES (IN CHAMBERS) ORDER TO SHOW CAUSE RE LACK OF JURISDICTION by Judge R. Gary Klausner: The Courts orders Defendant(s) to Show Cause in writing by Noon 12/22/2004 why this action should not be remanded. Plaintiff(s) may submit a response in the same time period. The Clerk shall serve this minute order on all parties to the action.Court Reporter: Not Reported. (mch,) (Entered: 12/14/2004)
12/15/2004	<u>6</u>	NOTICE of Standing Order Regarding Newly Assigned Cases <u>4</u> filed by plaintiff Sarah Schreiner. (jp,) (Entered: 12/16/2004)
12/16/2004	<u>7</u>	NOTICE of standing order regardng newly assigned cases. filed by defendant Genesco Inc. see file for details(ye,) (Entered: 12/22/2004)
12/22/2004	<u>9</u>	RESPONSE filed by Defendant Genesco Incto to order to show cause <u>5</u> (ye,) (Entered: 01/04/2005)
12/22/2004	<u>10</u>	DECLARATION of Shannon M Treecxe CPA in support of response to order to show cause. <u>5</u> filed by Defendant Genesco Inc. (ye,) (Entered: 01/04/2005)
12/23/2004	<u>8</u>	ORDER by Judge R. Gary Klausner, setting Scheduling Conference on 3/7/2005 09:00 AM before Honorable R. Gary Klausner. (el,) (Entered: 12/28/2004)
12/29/2004	<u>11</u>	MINUTES OF IN CHAMBERS ORDER by Judge R. Gary Klausner : The Order to Show Cause re Lack of Jurisdiction, filed on 12/13/2004, <u>5</u> is hereby DISCHARGED.Court Reporter: Not Reported. (el,) (Entered: 01/04/2005)
02/24/2005	<u>12</u>	JOINT STATEMENT Pursuant to This Court's Order Setting Scheduling Conference, FRCP 26(f) and Local Rule 26-1 filed by Defendant Genesco Inc (shb,) (Entered: 02/25/2005)
03/07/2005	<u>13</u>	MINUTES: Scheduling Conference held. The parties shall file a motion for class certification. The Court reserves the date of July 11, 2005 for the motion. The Scheduling Conference is continued to 8/8/2005 09:00 AM by Judge R. Gary Klausner.Court Reporter: Lynne Smith. (pj,) (Entered: 03/09/2005)
03/11/2005	<u>14</u>	EX PARTE APPLICATION for Order continuing the time for filing the motion for class certification filed by plaintiff Sarah Schreiner. Lodged Order. Declaration of Clay Robbins III (mu,) (Entered: 03/18/2005)
03/18/2005	<u>15</u>	ORDER by Judge R. Gary Klausner : granting 14 EX PARTE APPLICATION for Order continuing the time for filing the motion for class certification. The hearing for Class Certification is set for hearing on August 8, 2005, at 9:00 am. The Scheduling Conference is set on September 12, 2005 at 9:00 AM. (shb,) (Entered: 03/21/2005)

03/18/2005		Set Deadlines/Hearings: Motion re Class Certification set for hearing on 8/8/2005 at 09:00 AM before Honorable R. Gary Klausner. Scheduling Conference set for 9/12/2005 09:00 AM before Honorable R. Gary Klausner. (shb,) (Entered: 03/21/2005)
04/15/2005	16	INITIAL DISCLOSURES filed by Defendant Genesco Inc (yl,) (Entered: 04/21/2005)
06/14/2005	17	NOTICE OF MOTION AND MOTION for Preliminary Approval of Class Settlement filed by plaintiff Sarah Schreiner. Motion set for hearing on 7/25/2005 at 09:00 AM before Honorable R. Gary Klausner. (jp,) (Entered: 06/16/2005)
06/14/2005	18	MEMORANDUM OF POINTS AND AUTHORITIES RE: Preliminary Approval 17 filed by plaintiff Sarah Schreiner. (jp,) (Entered: 06/16/2005)
06/14/2005	19	DECLARATION of ANDREW C. PETERSON in support of MOTION for Preliminary Approval of Class Action 17 filed by plaintiff Sarah Schreiner. (jp,) (Entered: 06/16/2005)
06/14/2005	20	DECLARATION of CLAY ROBBINS III in support of MOTION for Preliminary Approval of Class Action 17 filed by plaintiff Sarah Schreiner. (jp,) (Entered: 06/16/2005)
06/14/2005	21	PROOF OF SERVICE filed by plaintiff Sarah Schreiner. re Declaration of CLAY ROBBINS III in support of MOTION for Preliminary Approval of Class Action 20 , MOTION for Preliminary Approval of Class 17 , Memorandum re Preliminary Approval 18 , Declaration Andrew C. Peterson in support of MOTION for Preliminary Approval of Class Action 19 , was served on 6/13/2005. (jp,) (Entered: 06/16/2005)
07/18/2005	<u>22</u>	MINUTES by Judge R. Gary Klausner; Court hereby advises counsel that the MOTION for Preliminary Approval of Class Settlement 17 is UNDER SUBMISSION and taken off the motion calendar. Furthermore, no appearance by counsel is necessary. Court will issue a ruling after full consideration of the submitted pleadings.Court Reporter: n/a. (jag,) (Entered: 07/19/2005)
08/09/2005	<u>23</u>	MINUTES by Judge R. Gary Klausner; plaintiffs MOTION for Preliminary Approval of Class Settlement 17 is conditionally GRANTED. Specifically, the Court preliminarily approves the final settlement amount of \$2,250,000.00 but not the enhancement of \$7,500.00 until proper proof has been shown justifying this fee. Motion is granted conditioned upon the submission and approval of a revised notice of class action settlement of class action clarifying the provisions relating to attorneys fees, enhancement fees and costs. Parties are ordered to make the following clarifications: (see document for details.) Parties are ordered to submit a revised notice of settlement and proposed order approving the revised notice of settlement no later than 8/21/05. It is further ordered that hearing for final approval of settlement will be set for 10/21/2005 09:00 AM.Court Reporter: n/a. (jag,) (Entered: 08/11/2005)
08/19/2005	24	JOINT NOTICE of Lodgment of revised notice of class action settlement for approval by the Court as ordered 8/9/05 (jag,) (Entered: 08/23/2005)
08/23/2005	<u>25</u>	ORDER by Judge R. Gary Klausner; The notice of settlement as revised in the form attached as Exhibit A hereto, is approved for use in this matter. (see document for details)(jag,) (Entered: 08/24/2005)
10/12/2005	27	NOTICE OF MOTION AND MOTION for Final Approval of Class Action Settlement filed by plaintiff Sarah Schreiner. Motion set for hearing on 10/21/2005 at 9:00 AM before Honorable R. Gary Klausner. (ca,) (Entered: 10/18/2005)
10/12/2005	28	MEMORANDUM of Points and Authorities in Support of MOTION for final approval of Class Action Settlement 27 filed by plaintiff Sarah Schreiner. (ca,) (Entered: 10/18/2005)
10/12/2005	29	DECLARATION of Class Representative Sarah Schreiner in support of MOTION for final approval for Class Action Settlement 27 filed by plaintiff Sarah Schreiner. (ca,) (Entered: 10/18/2005)

10/12/2005	30	DECLARATION of Class Counsel, Clay Robbins III and Exhibits in support of MOTION for Final Approval 27 filed by plaintiff Sarah Schreiner. (ca,) (Entered: 10/18/2005)
10/12/2005	31	DECLARATION of Daniel Rosenthal Re: Notice Procedures 27 filed by plaintiff Sarah Schreiner. (ca,) (Entered: 10/18/2005)
10/12/2005	32	DECLARATION of Class Representative Sergio Sandoval in support of MOTION for final approval of class action Settlement, Attorney Fees, Costs and Enhancement 27 filed by plaintiff Sarah Schreiner. (ca,) (Entered: 10/18/2005)
10/13/2005	26	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge R. Gary Klausner ORDERING motion for final approval of class action settlement; memorandum; declaration of S. Schreiner; declaration of C. Robbins; declaration of D. Rosenthal; declaration of S. Sandoval; Declaration of M. Murphy and Order submitted by Plaintiff Sarah Schreiner received on 10/12/05 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk.(ca,) (Entered: 10/18/2005)
10/21/2005	33	MINUTES OF IN CHAMBERS ORDER by Judge R. Gary Klausner: Due to the Court's schedule the MOTION for Final Approval of Class Action Settlement 27 is continued for hearing on 10/24/2005 at 10:30 AM before Honorable R. Gary Klausner. IT IS SO ORDERED.Court Reporter: Not Reported. (shb,) (Entered: 10/27/2005)
10/24/2005	34	NOTICE OF MOTION AND MOTION for Approval of Attorney Fees, Counsel Costs, Administrative Costs and Class Representative Enhancements filed by Plaintiff Sarah Schreiner. Motion set for hearing on 11/14/2005 at 09:00 AM before Honorable R. Gary Klausner. (yl,) (Entered: 10/27/2005)
10/24/2005	35	MEMORANDUM OF POINTS AND AUTHORITIES in Support of Approval of Attorney Fees, Counsel Costs, Administrative Costs and Class Representative Enhancements 34 filed by Plaintiff Sarah Schreiner. (yl,) (Entered: 10/27/2005)
10/24/2005	36	PROOF OF SERVICE filed by Plaintiff Sarah Schreiner. The Declaration of Class Counsel and Exhibits in Support of Motion for Award of Attorney's Fees, Counsel Costs, administrative Costs and Class Representatives, etdc (see document for further details) was served on 10/21/2005. (yl,) (Entered: 10/27/2005)
10/24/2005	37	DECLARATION of Class Counsel Clay Robbins III, David Roberts, Daniel Rosenthal, Class Representatives and Exhibits in Support of Motion Approval of Attorney Fees, Counsel Costs, Administrative Costs and Class Representative Enhancements 34 filed by Plaintiff Sarah Schreiner. (yl,) (Entered: 10/27/2005)
10/24/2005	<u>38</u>	MINUTES of Hearing held before Judge R. Gary Klausner; Court and counsel confer. Court approves the class settlement.Court Reporter: Lynne Smith. (jag,) (Entered: 10/28/2005)
10/28/2005	<u>39</u>	ORDER by Judge R. Gary Klausner; On 8/11 and 8/24/05, Court issued orders granting preliminary approval of the revised notice in this matter. It is hereby ordered that this Court has jurisdiction over the subject matter of this litigation and over all parties to this litigation including all members of the Class. Court hereby approves the settlement set forth in the stipulation of settlement and release and finds that said settlement is in all respects fair reasonable adequate and in the best interests of the class. Defendants shall pay participating class members up to the total gross sum of \$2,250,000.00 to or for the benefit of the Class or to the attorneys for the class or to the claims administrators in the manner more fully set forth in the stipulation of settlement and release. (see document for further details)(jag,) (Entered: 11/01/2005)
11/22/2005	<u>40</u>	MINUTES by Judge R. Gary Klausner; Plaintiffs MOTION for Approval of Attorney Fees, Counsel Costs, Administrative Costs and Class Representative Enhancements 34 is GRANTED in part. Specifically, plaintiffs are granted \$749,250.00 in attorneys fees (from which \$101,000.00 in administrative costs shall be paid); \$22,428.13 in litigation costs and expenses; and \$7,500.00 in Class Representative Enhancement fees for each of the three class representatives.Court Reporter: n/a. (jag,) (Entered: 11/23/2005)

12/21/2005	41	MINUTES by Judge R. Gary Klausner; Case should have been closed on entry dated 10/28/05_39 . (Made JS-6. Case Terminated.)Court Reporter: n/a. (jag,) (Entered: 12/28/2005)
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