

CLOSED, MEDIATION

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00373-JJF**

Equal Employment Opportunity Commission v. Lowe's Home
Centers Inc.
Assigned to: Honorable Joseph J. Farnan, Jr.
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 06/08/2005
Date Terminated: 10/03/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Douglas Edward McCann**
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 TERMINATED: 04/26/2006
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V.

Defendant

Lowe's Home Centers Inc.

represented by **David Phillip Primack**
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 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/08/2005	1	COMPLAINT filed with Jury Demand against Lowe's Home Centers Inc. - Magistrate Consent Notice to Pltf. - filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet # 2 Acknowledgement of Consent Form)(mwm,) (Entered: 06/08/2005)
06/08/2005		Summons Issued as to Lowe's Home Centers Inc. on 6/8/2005. (mwm,) (Entered: 06/08/2005)
06/15/2005		Case assigned to Judge Joseph J. Farnan, Jr. Please include the initials of the Judge (JJF) after the case number on all documents filed. (rjb,) (Entered: 06/15/2005)
07/11/2005	2	Return of Service Executed by Equal Employment Opportunity Commission. Lowe's Home Centers Inc. served on 6/24/2005, answer due 7/14/2005. (afb,) (Entered: 07/12/2005)
07/13/2005	3	ANSWER to Complaint by Lowe's Home Centers Inc..(Primack, David) (Entered: 07/13/2005)
07/13/2005	4	STATEMENT <i>Of Corporate Ownership Of Defendant</i> by Lowe's Home Centers Inc.. (Primack, David) (Entered: 07/13/2005)
07/13/2005	5	MOTION for Pro Hac Vice Appearance of Attorney Gregory W. Homer and Thomas J. Barton - filed by Lowe's Home Centers Inc.. (Primack, David) (Entered: 07/13/2005)

07/13/2005	6	CERTIFICATE OF SERVICE of Defendant's Answer to the Complaint, Corporate Ownership Statement and Motion for Admission Pro Hac Vice of Gregory W. Homer and Thomas J. Barton by Lowe's Home Centers Inc. (Primack, David) (Entered: 07/13/2005)
07/13/2005	7	MOTION and Order for Admission Pro Hac Vice - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 07/13/2005)
07/13/2005		SO ORDERED, re 5 MOTION for Pro Hac Vice Appearance of Attorney Gregory W. Homer and Thomas J. Barton filed by Lowe's Home Centers Inc. Signed by Judge Joseph J. Farnan, Jr. on 07/13/05. (afb,) (Entered: 07/15/2005)
07/14/2005		SO ORDERED, re 7 MOTION and Order for Admission Pro Hac Vice of Judith A. O. Boyle and Stephanie Marino filed by Equal Employment Opportunity Commission . Signed by Judge Joseph J. Farnan, Jr. on 07/14/05. (afb,) (Entered: 07/15/2005)
07/27/2005	8	MOTION to Allow EEOC Attorneys to Appear Without Local Counsel - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 07/27/2005)
07/28/2005	9	ORDER granting 8 Motion to Allow EEOC Attorneys, Judith A. O'Boyle and Stephanie Marino to appear without local cnsl . Signed by Judge Joseph J. Farnan, Jr. on 07/28/05. (afb,) (Entered: 07/29/2005)
11/07/2005	10	Letter to Cnsl. from the Court requesting cnsl. to confer and submit to the Court a Proposed Pretrial Scheduling Order by 11/21/05. (Attachments: # 1 Proposed Scheduling Order)(afb,) (Entered: 11/07/2005)
11/07/2005		Set Deadlines: Notice of Compliance deadline set for 11/21/2005 per D.I. 10. (afb,) (Entered: 11/07/2005)
11/18/2005	11	Letter to The Honorable Joseph J. Farnan, Jr. from David P. Primack, Esq. regarding EEOC v. Lowe's Home Center. (Attachments: # 1 Text of Proposed Order)(Primack, David) (Entered: 11/18/2005)
11/21/2005	12	RULE 16 SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Pre-Discovery Disclosures ddl. 12/01/05; Joinder of Parties due by 12/1/2005. Amended Pleadings due by 2/1/2006. Written Discovery due by 2/24/2006,Fact Discovery due by 07/31/06, rpts. from retained experts are due from the pltf. by 08/31/06; from the deft. by 09/29/06; Dispositive Motions due by 10/31/2005.. Signed by Judge Joseph J. Farnan, Jr. on 11/21/05. (afb,) Modified on 11/21/2005 (afb,). (Entered: 11/21/2005)
11/21/2005		CASE REFERRED to Mediation. (cab,) (Entered: 11/21/2005)
11/21/2005	13	Order Setting Teleconference: Telephone Conference set for 1/3/2006 09:00 AM before Honorable Mary Pat Thyngne to discuss ADR. Signed by Judge Mary Pat Thyngne on 11/21/2005. (cab,) (Entered: 11/21/2005)
11/21/2005		Set Discovery ddl. due by 7/31/2006 per D.I. 12. (afb,) (Entered: 11/21/2005)
11/21/2005		CORRECTING ENTRY: clerk updated docket entry D.I. 12 to reflect Fact Discovery ddl. of 07/31/06. (afb,) (Entered: 11/21/2005)

11/30/2005	14	STIPULATION To amend dispositive motion deadline to read "October 31, 2006" re 12 Scheduling Order., by Equal Employment Opportunity Commission. (Attachments: # 1 Letter to Judge Farnan re: Stipulation)(Marino, Stephanie) (Entered: 11/30/2005)
11/30/2005	15	Notice of Service re: INITIAL DISCLOSURES pursuant to Rule 26 by Equal Employment Opportunity Commission.(Marino, Stephanie) Modified on 2/10/2006 (afb,). (Entered: 11/30/2005)
12/01/2005	16	ORDER, Setting Hearings Pretrial Conference set for 1/11/2007 at 01:00 PM in Courtroom 4B before Honorable Joseph J. Farnan, Jr.; Trial will be scheduled at the Pretrial Cnf. to commence within 120 days of the pretrial cnf.; Signed by Judge Joseph J. Farnan, Jr. on 12/01/05. (afb,) (Entered: 12/01/2005)
12/01/2005	17	NOTICE OF SERVICE of Initial Disclosures by Lowe's Home Centers Inc..(Primack, David) (Entered: 12/01/2005)
12/01/2005		SO ORDERED, re 14 Stipulation to Amend Dispositive Motion ddl. from 10/31/05 to 10/31/06 filed by Equal Employment Opportunity Commission, . Signed by Judge Joseph J. Farnan, Jr. on 12/01/05. (afb,) (Entered: 12/01/2005)
12/01/2005		Set/Reset Scheduling Order Deadlines: Dispositive Motions due by 10/31/2006 per D.I. 14. (afb,) (Entered: 12/01/2005)
01/03/2006	18	ORDER Setting Mediation Conferences: Mediation Conference set for 6/26/2006 10:00 AM in Courtroom 6C before Honorable Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 1/3/2006. (cab,) (Entered: 01/03/2006)
01/26/2006	19	Notice of Service re:First INTERROGATORIES Propounded to Defendant Lowe's Home Center's Inc. by Equal Employment Opportunity Commission.(Marino, Stephanie) Modified on 1/27/2006 (afb,). (Entered: 01/26/2006)
01/26/2006	20	Notice of Service re: REQUEST for Production of Documents directed to Defendant Lowe's Home Center's, Inc. by Equal Employment Opportunity Commission.(Marino, Stephanie) Modified on 1/27/2006 (afb,). (Entered: 01/26/2006)
01/26/2006		CORRECTING ENTRY: Clerk updated docket entries (D.I. 19 and 20) to reflect Notice of Service. (afb,) (Entered: 01/27/2006)
02/02/2006	21	CERTIFICATE OF SERVICE of Defendant Lowe's Home Centers, Inc.'s First Request for Production of Documents and First Set of Interrogatories Directed to Plaintiff Equal Employment Opportunity Commission by Lowe's Home Centers Inc. (Primack, David) (Entered: 02/02/2006)
02/09/2006	22	Notice of Service re: Second INTERROGATORIES Propounded to Defendant Lowe's by Equal Employment Opportunity Commission.(Marino, Stephanie) Modified on 2/10/2006 (afb,). (Entered: 02/09/2006)
02/09/2006	23	Notice of Service re: REQUEST for Production of Documents directed to Defendant Lowe's by Equal Employment Opportunity Commission.(Marino, Stephanie) Modified on 2/10/2006 (afb,). (Entered: 02/09/2006)

02/10/2006		CORRECTING ENTRY: Clerk updated docket text of D.I. 15, 22 and 23 to reflect Notice of Services filed. (afb,) (Entered: 02/10/2006)
03/20/2006	24	NOTICE OF SERVICE of Responses and Objections to Defendant's First Set of Interrogatories by Equal Employment Opportunity Commission.(Marino, Stephanie) (Entered: 03/20/2006)
03/20/2006	25	NOTICE OF SERVICE of Responses and Objections to Defendant's First Request for Production of Documents by Equal Employment Opportunity Commission.(Marino, Stephanie) (Entered: 03/20/2006)
03/22/2006	26	NOTICE OF SERVICE of Defendant Lowe's Home Centers, Inc.'s Responses and Objections to Plaintiff's First Set of Interrogatories and Privilege Log by Lowe's Home Centers Inc..(Primack, David) (Entered: 03/22/2006)
03/22/2006	27	NOTICE to Take Deposition of Linda Whitmore on Friday, April 28, 2006 at 10:00 a.m. by Lowe's Home Centers Inc..(Primack, David) (Entered: 03/22/2006)
03/22/2006	28	NOTICE to Take Deposition of Linda Whitmore on Friday, April 28, 2006 at 10:00 a.m. (Revised Notice of Deposition - Videotape) by Lowe's Home Centers Inc..(Primack, David) (Entered: 03/22/2006)
04/12/2006	29	MOTION for Extension of Time to <i>Rule 37 Motion to Allow Enlargement of Time To Take Deposition of Linda Whitmore</i> - filed by Lowe's Home Centers Inc.. (Attachments: # 1 Exhibit Certification of Counsel# 2 Text of Proposed Order Order# 3 Exhibit Certificate of Service)(Primack, David) (Entered: 04/12/2006)
04/13/2006	30	RESPONSE to Motion re 29 MOTION for Extension of Time to <i>Rule 37 Motion to Allow Enlargement of Time To Take Deposition of Linda Whitmore</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Certificate of Service# 2 Text of Proposed Order)(Marino, Stephanie) (Entered: 04/13/2006)
04/20/2006	31	ORDER that Defendant is permitted to depose Linda Whitmore, for up to fourteen (14) hours over a two-day period. Signed by Judge Joseph J. Farnan, Jr. on 04/20/06. (afb,) (Entered: 04/20/2006)
04/26/2006	32	NOTICE OF SUBSTITUTION OF COUNSEL re Equal Employment Opportunity Commission: Entry of appearance of attorney Douglas Edward McCann. Attorney Rudolph Contreras terminated. (McCann, Douglas) (Entered: 04/26/2006)
05/01/2006	33	NOTICE OF SERVICE of Supplemental Initial Disclosures pursuant to Rule 26. re 15 Initial Disclosures by Equal Employment Opportunity Commission. Related document: 15 Initial Disclosures filed by Equal Employment Opportunity Commission.,(Marino, Stephanie) (Entered: 05/01/2006)
05/01/2006	34	NOTICE OF SERVICE of Supplemental Document Production re 25 Notice of Service by Equal Employment Opportunity Commission. Related document: 25 Notice of Service filed by Equal Employment Opportunity Commission.,(Marino, Stephanie) (Entered: 05/01/2006)
06/01/2006	35	NOTICE to Take Deposition of Donovan, Lawrence, Thomson, Hinch, Buzzurro, Anderson, West & Boyell on 6/29/06, 7/6/06, 7/11/06, 7/14/06 & 7/20/06 by Equal Employment Opportunity Commission. (Attachments: # 1 Deposition

		Notice)(Marino, Stephanie) (Entered: 06/01/2006)
06/01/2006	36	NOTICE OF SERVICE of Supplemental Rule 26 Disclosures and Supplemental Answers to Defendant's Interrogatories by Equal Employment Opportunity Commission.(Marino, Stephanie) (Entered: 06/01/2006)
06/29/2006	37	First MOTION for Extension of Time to Complete Discovery (<i>Stipulation of Counsel</i>) - filed by Equal Employment Opportunity Commission. (Attachments: # 1 Text of Proposed Order)(Marino, Stephanie) (Entered: 06/29/2006)
07/05/2006	38	STIPULATION of Dismissal of <i>Plaintiff's claims brought under U.S.C. sections 2000e et seq.</i> by Lowe's Home Centers Inc.. (Primack, David) (Entered: 07/05/2006)
07/06/2006		SO ORDERED, re 38 Stipulation of Voluntary Dismissal of all of Pltf.'s claims brought under U.S.C. 2000e et seq. alleging gender based harassment or hostile work environment, including without limitation all claims related to and arising out of the allegations of paragraph 7(b) of the Complaint, shall be dismissed forthwith with prejudice, without costs. Signed by Judge Joseph J. Farnan, Jr. on 07/06/06. (afb,) (Entered: 07/07/2006)
07/06/2006		CASE CLOSED per D.I. 38. (afb,) (Entered: 07/10/2006)
07/06/2006		CORRECTING ENTRY: Case was closed in error. Case is reopened. (afb,) (Entered: 07/13/2006)
07/17/2006	39	ORDER, Pretrial Conference reset for 2/1/2007 09:30 AM in Courtroom 4B before Honorable Joseph J. Farnan, Jr. Signed by Judge Joseph J. Farnan, Jr. on 7/17/06. (maw,) Additional attachment(s) added on 7/18/2006 (maw,). (Entered: 07/18/2006)
07/18/2006	40	ORDER: Fact Discovery due by 9/30/2006. Dispositive Motions due by 11/30/2006. Signed by Judge Joseph J. Farnan, Jr. on 7/18/06. (maw,) (Entered: 07/19/2006)
08/29/2006	41	First MOTION to Intervene - filed by Equal Employment Opportunity Commission. (Martin, Jeffrey) (Entered: 08/29/2006)
08/29/2006	42	PROPOSED ORDER Order on Intervening Party's Motion for Intervention by Equal Employment Opportunity Commission. (Martin, Jeffrey) (Entered: 08/29/2006)
08/29/2006	43	CERTIFICATE OF SERVICE of Certificate of service on Motion to Intervene by Equal Employment Opportunity Commission (Martin, Jeffrey) (Entered: 08/29/2006)
09/28/2006	44	STIPULATION of Dismissal (<i>Voluntary</i>) pursuant to <i>F.R.C.P. 41(a)(1)</i> by Equal Employment Opportunity Commission. (Marino, Stephanie) (Entered: 09/28/2006)
10/03/2006	45	Stipulation of Voluntary Dismissal by Equal Employment Opportunity Commission, Lowe's Home Centers Inc. Each party shall bear its own attorney's fees and costs. Signed by Judge Joseph J. Farnan, Jr.(dab,) Modified on 10/3/2006 (dab,). (Entered: 10/03/2006)
10/03/2006		CORRECTING ENTRY: Text added to DI #45 (dab,) (Entered: 10/03/2006)

10/23/2006	46	Letter to Judge Farnan from both counsel regarding Stipulation of Voluntary Dismissal - re 45 Notice of Voluntary Dismissal. (Martin, Jeffrey) (Entered: 10/23/2006)
11/02/2006	47	ORDER GRANTING re 41 First MOTION to Intervene filed by Equal Employment Opportunity Commission and that Intervening Party is granted leave to file Complaint in Intervention. ORDER, Setting Deadlines: Notice of Compliance deadline set for 11/22/2006. Signed by Judge Joseph J. Farnan, Jr. on 11/2/06. (dab,) (Entered: 11/03/2006)

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