

CLOSED, MEDIATION

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00374-GMS**

Equal Employment Opportunity Commission v. Nabstar
LLC
Assigned to: Honorable Gregory M. Sleet
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 06/08/2005
Date Terminated: 08/28/2006
Jury Demand: Both
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

Nabstar LLC
doing business as
 Sleep Inn

represented by **Kevin J. Connors**
 Marshall, Dennehey, Warner, Coleman
 & Goggin
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Date Filed	#	Docket Text
06/08/2005	1	COMPLAINT filed with Jury Demand against Nabstar LLC - 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 Nabstar LLC on 6/8/2005. (mwm,) (Entered: 06/08/2005)
06/15/2005		Case assigned to Judge Gregory M. Sleet. Please include the initials of the Judge (GMS) after the case number on all documents filed. (rjb,) (Entered: 06/15/2005)
07/11/2005	2	Letter to Dr. Peter Dalleo from Sylvia E. Williams, Paralegal Specialist, regarding original summons and affidavit of service. (mmm) (Entered: 07/11/2005)
07/11/2005	3	Return of Service Executed. Nabstar LLC served on 7/5/2005, answer due 7/25/2005. (mmm) (Entered: 07/11/2005)
07/20/2005	4	MOTION and Order for Admission Pro Hac Vice (O'Boyle & Smith) - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 07/20/2005)
07/21/2005		SO ORDERED, re 4 MOTION and Order for Admission Pro Hac Vice

		(O'Boyle & Smith) filed by Equal Employment Opportunity Commission . Signed by Judge Gregory M. Sleet on 7/21/05. (asw) (Entered: 07/21/2005)
07/22/2005	5	STIPULATION TO EXTEND TIME to answer complaint or otherwise move in response to Complaint to August 15, 2005 - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 07/22/2005)
07/25/2005	6	NOTICE of Appearance by Kevin J. Connors on behalf of Nabstar LLC (Connors, Kevin) (Entered: 07/25/2005)
07/25/2005		SO ORDERED, re 5 STIPULATION TO EXTEND TIME to answer complaint or otherwise move in response to Complaint to August 15, 2005 filed by Equal Employment Opportunity Commission. Reset Answer Deadline: Nabstar LLC answer due 8/15/2005. Signed by Judge Gregory M. Sleet on 7/25/05. (asw) (Entered: 07/25/2005)
07/29/2005	7	MOTION to Allow EEOC Attorneys to Appear Without Local Counsel (<i>O'Boyle, Smith</i>) - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 07/29/2005)
08/03/2005	8	ORDER granting 7 Motion to Allow EEOC Attorneys to Appear Without Local Counsel . Signed by Judge Gregory M. Sleet on 8/3/05. (asw) (Entered: 08/03/2005)
08/22/2005	9	STIPULATION TO EXTEND TIME to Plead to August 22, 2005 - filed by Equal Employment Opportunity Commission. (Contreras, Rudolph) (Entered: 08/22/2005)
08/22/2005	10	ANSWER to Complaint with Jury Demand by Nabstar LLC. (Attachments: # 1 Certificate of Service)(Connors, Kevin) (Entered: 08/22/2005)
08/22/2005		SO ORDERED, re 9 STIPULATION TO EXTEND TIME to Plead to August 22, 2005 filed by Equal Employment Opportunity Commission . Signed by Judge Gregory M. Sleet on 8/22/05. (asw) (Entered: 08/22/2005)
10/26/2005		Remark: Attorney Judith A. O'Boyle for Equal Employment Opportunity Commission, Rachel M. Smith for Equal Employment Opportunity Commission added per 8/3/05 order of the Court. (rbe,) (Entered: 10/26/2005)
10/26/2005	11	NOTICE of SCHEDULING CONFERENCE: A Scheduling Conference (see attachment) has been set for Monday, 11/7/05, at 10:00 AM in Chambers before Honorable Gregory M. Sleet. Counsel with primary responsibility for this case shall appear and be prepared to address any pending motions. If out-of-town counsel are unable to appear in person, they may seek permission to participate by telephone by contacting chambers at (302) 573-6470.(ctd) (Entered: 10/26/2005)
11/01/2005	12	RE-NOTICE of SCHEDULING CONFERENCE: The Scheduling Conference (see attachment) currently set for Monday, November 7,

		2005, at 10:00 a.m. HAS BEEN RESCHEDULED to Wednesday, November 23, 2005, at 9:15 a.m. in Chambers before Honorable Gregory M. Sleet.(ctd) (Entered: 11/01/2005)
11/16/2005	13	NOTICE OF SERVICE of Initial Disclosures by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 11/16/2005)
11/21/2005	14	Joint STATUS REPORT by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 11/21/2005)
11/22/2005	15	NOTICE of Service of Interrogatories Set I & II & Request for Production by Nabstar LLC (Connors, Kevin) (Entered: 11/22/2005)
11/23/2005		Minute Entry for proceeding held before Judge Gregory M. Sleet : Scheduling Conference held on 11/23/2005. Initial Disclosures - 11/30/05. Amend/Joinder of Pleadings - 12/15/05. (All) Discovery Cutoff due by 3/15/06; Expert Discovery to be completed by 6/30/06. Case Dispositive Motions/Summary Judgment Motions - 3/31/06. Pretrial Order due 9/5/06; Pretrial Conference on 9/25/06 at 10:00 AM; 4-day Jury Trial on 10/16/06 at 9:00 AM. Refer this case to the Magistrate for ADR. Plaintiff's counsel shall prepare and submit a proposed scheduling order to the Court by 12/1/05. (Court Reporter Kevin Maurer.) (asw) (Entered: 11/23/2005)
12/01/2005	16	PROPOSED ORDER Scheduling Order by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 12/01/2005)
12/01/2005		SO ORDERED, re 16 Proposed Order filed by Equal Employment Opportunity Commission. ORDER, Setting Scheduling Order Deadlines: Case referred to the Magistrate Judge for the purpose of exploring ADR. Pretrial Conference set for 9/25/2006 at 10:00 AM in Chambers before Honorable Gregory M. Sleet. Initial Disclosures - 11/30/05. Amended Pleadings due by 12/15/2005. Discovery due by 3/15/2006; Expert discovery to be completed by 6/30/06. Joinder of Parties due by 12/15/2005. Dispositive Motions due by 3/31/2006. Proposed Pretrial Order due by 9/5/2006. 4-day Jury Trial set for 10/16/2006 at 09:00 AM in Courtroom 6C before Honorable Gregory M. Sleet.. Signed by Judge Gregory M. Sleet on 12/1/05. (asw,) (Entered: 12/01/2005)
12/02/2005	17	NOTICE OF SERVICE of First Set of Interrogatories and First Request for Production of Documents by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 12/02/2005)
12/02/2005		CASE REFERRED to Mediation. (cab,) (Entered: 12/02/2005)
12/02/2005	18	STENO NOTES of Scheduling Conference held on 11/23/05 before Judge Sleet. Court Reporter: Kevin Maurer. (Notes on file in Clerk's Office) (asw) (Entered: 12/02/2005)
12/02/2005	19	Order Setting Teleconference: Telephone Conference set for 1/18/2006 09:30 AM before Honorable Mary Pat Thyng to discuss ADR. Signed by Judge Mary Pat Thyng on 12/2/2005. (cab,) (Entered: 12/02/2005)
12/21/2005	20	NOTICE OF SERVICE of Answers to Interrogatories addressed to

		Plaintiff: Set I and Set II; Responses to Document Requests addressed to Plaintiff by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 12/21/2005)
01/18/2006	21	ORDER Setting Mediation Conferences: Mediation Conference tentatively set for 5/3/2006 10:00 AM in Courtroom 6C before Honorable Mary Pat Thyng. Counsel are to notify the Court should the matter settle prior to the scheduled mediation. Signed by Judge Mary Pat Thyng on 1/18/2006. (cab,) (Entered: 01/18/2006)
02/10/2006	22	NOTICE OF SERVICE of Notice of Deposition by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 02/10/2006)
02/14/2006	23	CERTIFICATE OF SERVICE of CERTIFICATE OF SERVICE DEFENDANT'S ANSWERS TO INTERROGATORIES/RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS by Nabstar LLC (Connors, Kevin) (Entered: 02/14/2006)
02/14/2006	24	CERTIFICATE OF SERVICE of ELECTRONIC SIGNATURE CERT OF SERVICE DEFENDANT'S ANSWERS TO INTERR/RESPONSE TO REQ FOR PRODUCTION OF DOCUMENST by Nabstar LLC re 23 Certificate of Service (Connors, Kevin) (Entered: 02/14/2006)
02/17/2006	25	NOTICE OF SERVICE of Second Request for Production of Documents by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 02/17/2006)
03/02/2006	26	NOTICE OF SERVICE of Deposition Notice for Joan Payne and Jay Patel by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 03/02/2006)
03/08/2006	27	NOTICE of by Nabstar LLC <i>Deposition</i> (Attachments: # 1 Certificate of Service)(Connors, Kevin) (Entered: 03/08/2006)
03/10/2006	28	STIPULATION TO EXTEND TIME to extend discovery cut-off to April 14, 2006 - filed by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 03/10/2006)
03/10/2006	29	STIPULATION TO EXTEND TIME to extend discovery cut-off to April 14, 2006 - filed by Equal Employment Opportunity Commission. (Smith, Rachel) Modified on 3/14/2006 (asw,). PLEASE DISREGARD THIS DOCKET ENTRY -- IT IS A DUPLICATE OF D.I. 28. (Entered: 03/10/2006)
03/14/2006		CORRECTING ENTRY: PLEASE DISREGARD D.I. 29, STIPULATION TO EXTEND TIME; IT IS A DUPLICATE OF D.I. 28. (asw) (Entered: 03/14/2006)
03/14/2006	30	Letter to Judge Sleet from Rachel M. Smith, EEOC Trial Attorney regarding Stipulation to Request Extension of Discovery Deadline - re 28 STIPULATION TO EXTEND TIME to extend discovery cut-off to April 14, 2006. (Smith, Rachel) (Entered: 03/14/2006)
03/14/2006	31	STIPULATION TO EXTEND TIME Dispositive Motion Deadline to

		April 14, 2006 - filed by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 03/14/2006)
03/15/2006		SO ORDERED, re 28 STIPULATION TO EXTEND TIME to extend discovery cut-off to April 14, 2006 filed by Equal Employment Opportunity Commission,, 31 STIPULATION TO EXTEND TIME Dispositive Motion Deadline to April 14, 2006 filed by Equal Employment Opportunity Commission. ORDER, Resetting Deadlines: Discovery due by 4/14/2006. Dispositive Motions due by 4/14/2006. Signed by Judge Gregory M. Sleet on 3/15/06. (asw) (Entered: 03/15/2006)
03/16/2006	32	NOTICE to Take Deposition of Islyn A. Palmer on 3/17/06 by Nabstar LLC. (Attachments: # 1 Certificate of Service)(Connors, Kevin) (Entered: 03/16/2006)
03/17/2006	33	NOTICE OF SERVICE of Subpoena for the Depositions of Alice Yang and Steven Chen by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 03/17/2006)
03/20/2006	34	NOTICE OF SERVICE of Certificate of Service - Response to 2nd. Request for Production by Nabstar LLC.(Connors, Kevin) (Entered: 03/20/2006)
04/05/2006	35	NOTICE OF SERVICE of Subpoena of Steven Chen for Deposition on 4/6/06 by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 04/05/2006)
04/11/2006	36	NOTICE OF SERVICE of Subpoena for Deposition of Lynn Hopkins for April 11, 2006 by Equal Employment Opportunity Commission.(Smith, Rachel) (Entered: 04/11/2006)
04/11/2006	37	Letter STIPULATION TO EXTEND TIME dispositive motion deadline to 4/21/06 - filed by Nabstar LLC. (Attachments: # 1 Exhibit Executed Stipulation to Extend Time)(Connors, Kevin) (Entered: 04/11/2006)
04/11/2006		SO ORDERED, re 37 Letter STIPULATION TO EXTEND TIME dispositive motion deadline to 4/21/06 filed by Nabstar LLC. ORDER, Resetting Deadline: Dispositive Motions due by 4/21/2006. Signed by Judge Gregory M. Sleet on 4/11/06. (asw) (Entered: 04/12/2006)
04/21/2006	38	NOTICE OF SERVICE of Certificate of Service - Defendant Answers to Interrogatories and Request for Production by Nabstar LLC.(Connors, Kevin) (Entered: 04/21/2006)
04/21/2006	39	MOTION for Summary Judgment <i>Motion of Defendant, Nabstar, LLC d/b/a Sleep Inn, for Summary Judgment</i> - filed by Nabstar LLC. (Attachments: # 1)(Connors, Kevin) (Entered: 04/21/2006)
04/21/2006	40	OPENING BRIEF in Support re 39 MOTION for Summary Judgment <i>Motion of Defendant, Nabstar, LLC d/b/a Sleep Inn, for Summary Judgment Memorandum of Points and Authorities in Support of the Motion of Defendant, Nabstar, LLC d/b/a Sleep Inn, for Summary Judgment</i> filed by Nabstar LLC. Answering Brief/Response due date per

		Local Rules is 5/5/2006. (Attachments: # 1)(Connors, Kevin) (Entered: 04/21/2006)
04/24/2006	41	EXHIBIT re 40 Opening Brief in Support,, 39 MOTION for Summary Judgment <i>Motion of Defendant, Nabstar, LLC d/b/a Sleep Inn, for Summary Judgment</i> by Nabstar LLC. (Attachments: # 1 Exhibit Exhibits A & B# 2 Exhibit Exhibit C, Part 1# 3 Exhibit Exhibit C, Part 2# 4 Exhibit Exhibit C, Part 3# 5 Exhibit Exhibit C, Part 4# 6 Exhibit Exhibit D, Part 1# 7 Exhibit Exhibit D, Part 2# 8 Exhibit Exhibit D, Part 3# 9 Exhibit Exhibit D, Part 4# 10 Exhibit Exhibits E through K)(Connors, Kevin) (Entered: 04/24/2006)
04/24/2006	42	MOTION for Extension of Time to File Response/Reply <i>and Motion to Compel Production of Documents</i> - filed by Equal Employment Opportunity Commission. (Attachments: # 1 Attachment "A")(Smith, Rachel) (Entered: 04/24/2006)
04/26/2006	43	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	44	Letter to The Honorable Gregory M. Sleet from Kevin J. Connors regarding Plaintiff's Motion for Extension of Deadline to Respond to Defendant's Motion for Summary Judgment and Motion to Compel the Production of Documents (D.I. #42). (Connors, Kevin) (Entered: 05/01/2006)
07/21/2006	45	Letter to Counsel from Marie McDavid, Case Manager, regarding request for status report. (mmm) (Entered: 07/21/2006)
07/28/2006	46	STATUS REPORT by Equal Employment Opportunity Commission. (Smith, Rachel) (Entered: 07/28/2006)
08/28/2006	47	Letter to Honorable Gregory M. Sleet from Rachel M. Smith, Trial Attorney, regarding Consent Decree. (mmm) (Entered: 08/28/2006)
08/28/2006	48	CONSENT DECREE. Signed by Judge Gregory M. Sleet on 8/28/06. (mmm) (Entered: 08/28/2006)

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