

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:00-cv-00635-GMS**

Hamilton, et al v. City of Wilmington, et al  
Assigned to: Judge Gregory M. Sleet  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 07/07/2000  
Date Terminated: 08/26/2002  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Sharon Hamilton**

represented by **Victor F. Battaglia , Sr.**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Jeannette Cunningham**  
*all similarly situated persons*

represented by **Victor F. Battaglia , Sr.**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Terry Lee White**

represented by **Phillip B. Bartoshesky**  
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**Plaintiff**

**Jennifer Dawn Ferranto**

represented by **Phillip B. Bartoshesky**  
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**Victor F. Battaglia , Sr.**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Cassandra Irvin**

represented by **Phillip B. Bartoshesky**  
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**LEAD ATTORNEY**  
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**Victor F. Battaglia , Sr.**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Vernon Dupree**

represented by **Phillip B. Bartoshesky**  
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**Victor F. Battaglia , Sr.**  
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**Plaintiff**

**Robert I Fields**

represented by **Phillip B. Bartoshesky**  
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**Victor F. Battaglia , Sr.**  
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**Plaintiff**

**David SM Koon**

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**Victor F. Battaglia , Sr.**  
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**Plaintiff**

**Reynolds C Abrams**

represented by **Phillip B. Bartoshesky**  
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**Victor F. Battaglia , Sr.**  
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**Plaintiff**

**Thomas Washington**

represented by **Phillip B. Bartoshesky**  
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*ATTORNEY TO BE NOTICED*

**Victor F. Battaglia , Sr.**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Marshall Q Jones**

represented by **Phillip B. Bartoshesky**  
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*LEAD ATTORNEY*  
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**Victor F. Battaglia , Sr.**  
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*LEAD ATTORNEY*  
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V.

**Defendant**

**City of Wilmington**

*a political subdivision of the State of Delaware*

represented by **Brenda James–Roberts**  
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**Defendant**

**James H. Sills**

represented by **Brenda James–Roberts**  
(See above for address)  
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*ATTORNEY TO BE NOTICED*

**Diane C. Streett**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Kathleen Furey McDonough**  
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**Wendy K. Voss**  
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**Defendant****Mary Dees**

represented by **Brenda James–Roberts**  
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**Diane C. Streett**  
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**Wendy K. Voss**  
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Date Filed	#	Docket Text
07/07/2000	1	COMPLAINT filed; Mag consent notice to pltf. FILING FEE \$ 150.00 RECEIPT # 128982 (kc) (Entered: 07/07/2000)
07/07/2000		DEMAND for jury trial by Sharon Hamilton, Jeannette Cunningham (kc) Modified on 07/10/2000 (Entered: 07/07/2000)
07/07/2000		No summons issued. (kc) (Entered: 07/07/2000)
07/12/2000	2	CASE assigned to Judge Gregory M. Sleet . Notice to all parties. (ntl) (Entered: 07/12/2000)
09/05/2000	3	ANSWER to Complaint by City of Wilmington, James H. Sills, Mary Dees (Attorney Kathleen Furey McDonough, Wendy K. Voss, Diane C. Streett, Brenda James–Roberts), (gp) (Entered: 09/13/2000)
10/06/2000		Deadline updated; set Telephone Conference for 10:30 10/23/00 (gp) (Entered: 10/06/2000)
10/06/2000	4	NOTICE from Judge Sleet to counsel of initial 16.2a telecnf. scheduled for 10/23/00 10:30 a.m. (gp) (Entered: 10/06/2000)
10/17/2000	6	Letter to the Honorable Gregory M. Sleet from Diane Clarke Streett RE request that teleconference scheduled for 10/23/00 be rescheduled (dab) (Entered: 10/25/2000)
10/19/2000		Deadline updated; reset Telephone Conference for 9:30 10/30/00 (gp) (Entered: 10/19/2000)
10/19/2000	5	Re–NOTICE from Judge Sleet of rescheduling telecnf. to 10/30/00 at 9:30 (gp) (Entered: 10/19/2000)

10/27/2000	7	STIPULATION allowing pltf. to file their 1st amended complaint (gp) (Entered: 11/09/2000)
10/27/2000	8	AMENDED COMPLAINT by Sharon Hamilton, Jeannette Cunningham , (Answer due 11/6/00 for Mary Dees, for James H. Sills, for City of Wilmington ) amending [1-1] complaint (gp) (Entered: 11/09/2000)
10/30/2000		Tele-conference held (Rpt. Gaffigan) 16 conf. scheduled for 11/21/00 at 9:00 a.m. (gp) (Entered: 11/07/2000)
10/30/2000		Deadline updated; set Tele-Scheduling Conference for 9:00 11/21/00 (gp) (Entered: 11/07/2000)
11/02/2000	9	Steno Notes for 10/30/00 (rpt. Gaffigan) (gp) (Entered: 11/09/2000)
11/06/2000		So Ordered granting [7-1] stipulation ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 11/09/2000)
11/06/2000	10	NOTICE from Judge Sleet of 16 conf. scheduled for 11/21/00 at 9:00 a.m. (gp) (Entered: 11/13/2000)
11/14/2000	11	STATUS REPORT by Sharon Hamilton, Jeannette Cunningham, City of Wilmington, James H. Sills, Mary Dees, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones (gp) (Entered: 11/16/2000)
11/17/2000	12	ANSWER by City of Wilmington, James H. Sills, Mary Dees (Kathleen McDonough, Wendy Voss, Diane Clarke Street and Brenda James Roberts ) to amended complaint; jury demand (gp) (Entered: 11/28/2000)
11/21/2000		Scheduling conference held (rpt. Dibbs) schedule Judge Sleet entered as follows: (120) days for discovery on certification issue; open brief on class issue 04/16/01; status cnf. for 6/15/01 12:00; discovery fact and expert by 07/02/01; disp. motion deadline 7/16/01; 00-635 and 00-855 consolidated for discovery purposes only; cnsl.to confer on sched. re: temp.empl.claims &expt.rpts; pto due 10/29/01; ptc 11/19/01 4:00 p.m. (7) day jury trial 12/03/01 matter referred to Magistrate for mediation (cnsl. to submit proposed order consistant w/above by 12/28/00) (gp) (Entered: 11/21/2000)
11/21/2000		Deadline updated; set Scheduling Order Deadlines: Discovery deadline on 7/2/01 Deadline for filing dispositive motions by 7/16/01 Pretrial conference by 4:00 11/19/01 Trial Date Deadline 9:00 12/3/01 Proposed Pretrial Order due on or before 10/29/01 , set Status Conference for 12:00 6/15/01 (gp) (Entered: 11/21/2000)
11/22/2000	13	Steno Notes for 11/21/00 (rpt. Dibbs) (gp) (Entered: 12/03/2000)
12/06/2000	14	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of 1st set of interrog. to defts. (gp) Modified on 12/14/2000 (Entered: 12/14/2000)
12/06/2000	15	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of request for production of documents (gp) (Entered: 12/14/2000)
12/12/2000	16	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of 1st interrog. to deft. (gp) (Entered: 12/14/2000)
12/12/2000	17	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of request for production of documents (gp) (Entered: 12/14/2000)
12/15/2000	18	Proposed Scheduling Order filed by Sharon Hamilton, Jeannette Cunningham, City of Wilmington, James H. Sills, Mary Dees, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones (gp) (Entered: 12/21/2000)
12/21/2000		So Ordered granting [18-1] proposed Scheduling Order; see order for further details ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 12/21/2000)

01/05/2001	19	ORDER, et Telephone Conference for 9:00 1/30/01 ( signed by Judge Mary P. Thyng ) copies to: cnsL. (gp) (Entered: 01/17/2001)
01/16/2001	20	STIPULATION extending time to and including 01/22/01 for defts. to respond to pltfs. 1st set of interrog and request for production of documents (gp) (Entered: 01/18/2001)
01/23/2001		So Ordered granting [20-1] stipulation extending time to 01/22/01 for defts. to respond to pltf. 1st interrog. and request for production ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 01/25/2001)
01/23/2001	21	CERTIFICATE OF SERVICE by James H. Sills, Mary Dees re: dfts responses to pltfs' request for production, dfts' response to plaintiffs' 1st set of interrogatories to defendant (rdb) (Entered: 01/26/2001)
01/23/2001	22	CERTIFICATE OF SERVICE by City of Wilmington, James H. Sills, Mary Dees re: dft's production and interrogatories (1st set) (rdb) (Entered: 01/26/2001)
01/30/2001	23	ORDER, et Settlement Conference for 10:00 6/11/01 ( signed by Judge Mary P. Thyng ) copies to: cnsL. (gp) (Entered: 01/31/2001)
02/14/2001	24	Proposed Stipulated Confidentiality Order filed (gp) Modified on 03/08/2001 (Entered: 02/15/2001)
02/20/2001		So Ordered granting [25-1] Stipulated Confidentiality order ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 02/20/2001)
03/01/2001	25	CERTIFICATE OF SERVICE by City of Wilmington, James H. Sills, Mary Dees of 1st request for production of documents re: class certification issue (gp) (Entered: 03/02/2001)
03/02/2001	26	CERTIFICATE OF SERVICE by City of Wilmington, James H. Sills, Mary Dees of 1st set of interrog. re: class certificatino issue (gp) (Entered: 03/02/2001)
03/02/2001	27	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of 2nd set of interrog. to defts. (gp) (Entered: 03/08/2001)
04/02/2001	28	CERTIFICATE OF SERVICE by City of Wilmington, James H. Sills, Mary Dees of responses to 2nd set of interrog. (gp) (Entered: 04/06/2001)
04/16/2001	29	Opening Brief Filed by Sharon Hamilton, Jeannette Cunningham, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones in Support of Thier Motion for Class Certification (gp) (Entered: 04/20/2001)
04/16/2001	30	Appendix to Brief Filed by Sharon Hamilton, Jeannette Cunningham, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones Appending [29-1] opening brief [Sealed] (gp) (Entered: 04/20/2001)
04/19/2001	31	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of response to defts. 1st request for production (gp) (Entered: 04/25/2001)
04/19/2001	32	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of response to deft. 1st set of interrog. (gp) (Entered: 04/25/2001)
05/01/2001	33	Answer Brief in Opposition to pltfs. Motion for Class Certification Filed by City of Wilmington, James H. Sills, Mary Dees (gp) (Entered: 05/02/2001)
05/01/2001	34	Letter from counsel for deft. regarding answering brief in in opposition to motion for class cert. (gp) (Entered: 05/09/2001)
05/07/2001	35	Reply Brief Filed by Sharon Hamilton, Jeannette Cunningham, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones in Support of their Motion for Class Certification (gp) (Entered: 05/09/2001)
06/08/2001	36	MOTION by City of Wilmington, James H. Sills, Mary Dees for Summary Judgment Answer Brief due 6/22/01 re: [36-1] motion (gp) (Entered: 06/12/2001)

06/08/2001	37	Opening Brief Filed by City of Wilmington, James H. Sills, Mary Dees [36-1] motion for Summary Judgment (gp) (Entered: 06/12/2001)
06/20/2001	38	Proposed Stipulated Order Staying Action and Amending Scheduling Order filed by Sharon Hamilton, Jeannette Cunningham, City of Wilmington, James H. Sills, Mary Dees, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones (gp) (Entered: 06/25/2001)
06/20/2001	39	Letter from counsel in support of proposed stipulated order staying action and amending scheduling order (gp) (Entered: 06/25/2001)
06/26/2001		So Ordered granting [38-1] proposed order staying matter until 07/20/01; and Amending Scheduling order as follows:discovery cutoff 08/31/01; brief sched. on deft.motion for summary judgment plf. ans.brief 07/20/01 deft. rply. 08/10/01; briefing shall be completed by 09/06/01; see order for further details( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 06/26/2001)
07/12/2001	40	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of 3rd interrog. to defts. (gp) (Entered: 07/13/2001)
07/12/2001	41	CERTIFICATE OF SERVICE by Sharon Hamilton, Jeannette Cunningham of 2nd request for production of documents to defts. (gp) (Entered: 07/13/2001)
07/18/2001	42	STIPULATION Amending Briefing Schedule on defts. motion for summary judgment filed 6/8/01 (gp) (Entered: 07/18/2001)
07/18/2001	43	Letter from counsel for pltf. in support of stip. to amend briefing schdule (gp) (Entered: 07/18/2001)
07/20/2001		So Ordered granting [42-1] stipulation amending the brief schedule on defts. motion for summary judgment as follows: pltf. answering brief 07/31/01; defts. reply due 08/17/01 ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 07/20/2001)
07/20/2001		Deadline updated; reset Answer Brief Deadline to 7/31/01 re: [36-1] motion for Summary Judgment , reset Reply Brief Deadline to 8/17/01 re: [36-1] motion for Summary Judgment (gp) (Entered: 07/20/2001)
07/27/2001	44	ORDER, that the continued reset Settlement Conference for 10:00 8/27/01 ( signed by Judge Mary P. Thyng ) copies to: cnsl. (gp) (Entered: 07/30/2001)
07/31/2001	45	Answer Brief Filed by Sharon Hamilton, Jeannette Cunningham [36-1] motion for Summary Judgment - Reply Brief due 8/7/01 (gp) (Entered: 08/01/2001)
07/31/2001	46	Appendix to Brief Filed by Sharon Hamilton, Jeannette Cunningham Appending [45-1] answer brief [Sealed] (gp) (Entered: 08/01/2001)
08/17/2001	47	Reply Brief Filed by City of Wilmington, James H. Sills, Mary Dees [36-1] motion for Summary Judgment (gp) (Entered: 08/20/2001)
08/24/2001	48	Letter from cnsl. for defts. that parties have reached a agreement on the terms of settlement that parties will submit proposed class certificatino and settlement terms for approval (gp) (Entered: 08/24/2001)
09/26/2001	49	Letter from counsel for pltf. that parties have reached a agreement to resolve mater (gp) (Entered: 09/26/2001)
10/26/2001	50	JOINT MOTION by Sharon Hamilton, Jeannette Cunningham, City of Wilmington, James H. Sills, Mary Dees, Terry Lee White, Jennifer Dawn Ferranto, Cassandra Irvin, Vernon Dupree, Robert I Fields, David SM Koon, Reynolds C Abrams, Thomas Washington, Marshall Q Jones for Temporary Class Certification and Request Hearing on Proposed Settlement re: [50-1] motion (gp) (Entered: 10/30/2001)
01/15/2002	51	Letter from counsel for pltfs. requesting hearing to determine settlement (gp) (Entered: 01/18/2002)
01/31/2002		Deadline updated; Motion Hearing set for 10:00 3/26/02 for [50-1] motion for Temporary Class Certification and Request Hearing on Proposed Settlement (gp)

		(Entered: 01/31/2002)
02/01/2002	52	MEMORANDUM AND ORDER that a hearing on the matters of settlement class certification and the proposed settlement will be held on 03/26/02 at 10:00 a.m. ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 02/01/2002)
03/22/2002	53	ORDER that defendant motion for summary judgment is dismissed w/out prejudice ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 03/22/2002)
03/26/2002		Motion hearing re: [50-1] motion for Temporary Class Certification and Request Hearing on Proposed Settlement held (rpt. Gaffigan); order Judge Sleet granting request for temporary class certification (gp) (Entered: 03/26/2002)
03/26/2002	54	ORDER granting [50-1] motion for Temporary Class Certification Proposed Settlement; directing that w/in 45 days of this order 05/13/02 class members may exlcude; directing that class members by 05/13/02 submit claim forms; that objectinos by class members to proposed settlement shall be filed w/the clerk on or before 6/18/02; setting hearing on 07/18/02 at 10:00; see order for further details ( signed by Judge Gregory M. Sleet ) copies to: cnsl. in open court (gp) (Entered: 03/26/2002)
03/27/2002	55	Steno Notes for 03/26/02 (rpt. Gaffigan) (gp) (Entered: 03/28/2002)
04/16/2002		Deadline updated; set Settlement Conference for Approval of Settlnent for 10:00 7/18/02 (gp) (Entered: 04/16/2002)
04/22/2002	56	Claim form by Barbara J. Potter (gp) (Entered: 04/24/2002)
04/30/2002	57	Claim by Tracy L. Taylor (gp) (Entered: 05/02/2002)
05/14/2002	58	Claim by Elwood Barrett, III (gp) (Entered: 05/17/2002)
05/15/2002	59	Claim by Nichole M. Torrence (gp) (Entered: 05/17/2002)
06/06/2002	60	Letter from counsel for deft. regarding courts order of 03/26/02 that defts. file affidavit setting forth those persons to whom notice of proposed class action settlement was mailed, that at present defts. have not be able to file required affidavit and that counsel for both parties are planning to meet and rsolve issue and they anticipate filing affidavit on or before 6/7/01 (gp) (Entered: 06/07/2002)
06/10/2002	61	Claim form from Carolos A. Diaz (gp) (Entered: 06/12/2002)
06/17/2002	62	NOTICE of lodging of Affidavit of Kathleen McDonough by City of Wilmington, James H. Sills (gp) (Entered: 06/20/2002)
06/28/2002	63	Letter from counsel for pltf. regarding claims received after the 05/13/02 deadline requesting court's permission to waive filing deadline (gp) (Entered: 07/03/2002)
07/09/2002	64	Letter from counsel for defts. that they do not obj. to pltf's. request to waive filing deadline (gp) (Entered: 07/11/2002)
07/10/2002	65	ORDER that the 05/13/02 filing deadline is extended up to and including 06/29/02 ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 07/11/2002)
07/18/2002		Hearing held before Judge Sleet (rpt. Gaffigan) to determine whether the proposed settlement is fair, reasonable and adequate for the Ceritifed Class; reserved Judge Sleet (gp) (Entered: 07/18/2002)
07/18/2002	66	Steno Notes for 07/18/02 (rpt. Gaffigan) (gp) (Entered: 07/18/2002)
07/19/2002	67	TRANSCRIPT filed for dates of 07/18/02 (gp) (Entered: 07/19/2002)
08/19/2002	68	Proposed Order and Final Judgment filed (gp) (Entered: 08/21/2002)
08/26/2002	69	MEMORANDUM AND ORDER that parties proposed settlement is fair, reasonable and adequate; the court directs that settlement funds be distributed in the manner suggested in the parties order submitted 7/18/02; see order for further details (signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 08/26/2002)



08/26/2002	70	ORDER and FINAL JUDGMENT that the City of Wilmington pay \$210,000 into an escrow account to be distributed to all class members; the City will also pay to class counsel \$75,000 in atty.fees parties to each bear their own admin.costs; that action is dismissed with prejudice from any and all claims; see Order for Further Details ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) Modified on 08/29/2002 (Entered: 08/26/2002)
08/26/2002		Case closed (gp) (Entered: 08/29/2002)
09/04/2002	71	Letter from counsel for pltf. re: Darry Wilson/climant late claim, and request to participate in settlement (gp) (Entered: 09/10/2002)
09/06/2002	72	Letter response from cnsl. for deft. to pltf. letter of 09/04/02 re: late claim (gp) (Entered: 09/10/2002)
09/24/2002	73	Letter from counsel for pltf. w/follow up as to application by Daryl Wilson to be permitted to file a claim out of time, that parties agree that Daryl Wilson should be treated as other members of the class (gp) (Entered: 09/25/2002)
09/25/2002	74	Letter from counsel for defts. in response to pltf. letter of 09/24/02 regarding late filing by Daryl Wilson requesting permission to participate in class; defts. do not oppose Mr. Wilson's inclusion in class and have attached a proposed order with modifications and stip. to by pltf. for approval (gp) (Entered: 09/26/2002)
09/30/2002	75	ORDER that those individuals who filed calims forms on or before 09/20/02 are otherwise eligible for participation in the plaintiff class; no claims received after 09/20/02 will be considered as eligible for participation in the class; see order for further details ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 09/30/2002)
07/01/2003	76	ORDER advising that case will be forwarded to FARC after 6 months and directing that sealed documents be returned to filing parties; see order for further details ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 07/10/2003)
07/29/2003	77	Return Acknowledgment from cnsl. of receipt of sealed DI nos. 30, and 46 (gp) (Entered: 07/30/2003)