



**United States Court of Appeals
for the Eleventh Circuit**

56 Forsyth Street, N.W.
Atlanta, GA 30303-2289
(404) 335-6100

05-13448-EE
U.S. E.E.O.C. v. Federal Express Corporation

Closed

Docket #: 05-13448-EE

Short Style: U.S. E.E.O.C. v. Federal Express Corporation

Docket Date: 06/22/2005

Lead Case:

Agency:

Nature of Suit: Civil Rights: Employment

Misc. Type:

Clerk: Wiegmann, Brenda

Clerk Phone: (404) 335-6174

District Information

Docket #: 02-01112-CV-ORL-28-DAB **Judge:** John Antoon, II

Dkt Date: 09/27/2002

District: Florida-Middle

NOA Date: 06/17/2005

Office: MFL-Orlando

Secondary Case Information

Docket #: **Judge:** David A. Baker

Dkt Date: //

Case Relationships

Docket #	Short Style	Relation	Status
05-14108-EE	U.S. E.E.O.C. v. Federal Express Corporation	Cross	Closed

Pending Motions

No Pending Motions



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U.S. E.E.O.C. v. Federal Express Corporation

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION,

Plaintiff-Appellee-

Cross-Appellant,

TED MAINES,

Intervenor-Plaintiff-

Appellee,

versus

FEDERAL EXPRESS CORPORATION,

Defendant-Appellant-

Cross-Appellee.



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U.S. E.E.O.C. v. Federal Express Corporation

Appellant	Appellant Attorney
<p>Federal Express Corporation Address Not On File <i>Appellant Brief Filed filed on 10.17.2005</i> <i>Record Excerpts filed on 10.17.2005</i> <i>E-Brief Tendered: Appellant filed on 10.17.2005</i> <i>Reply/Cross-Appellee Brief filed on 12.12.2005</i> <i>E-Brief Tendered: Appellant-Cross Appellee Reply Brief filed on 12.12.2005</i> <i>Fees: Paid on 06.17.2005</i></p>	<p>Jay Lloyd Grytdahl Federal Express Corporation 3620 HACKS CROSS RD FL 3 BLDG B MEMPHIS, TN 38125-8800 (901) 434-8590 Fax: (901) 434-9278 jlgytdahl@fedex.com <i>No Briefing Information Found.</i></p>
Appellee	Appellee Attorney
<p>U.S. Equal Employment Opportunity Commission Address Not On File</p>	<p>James M. Tucker 1801 L ST NW WASHINGTON, DC 20507-0001 (202) 663-4870 Fax: (202) 663-7090 james.tucker@eeoc.gov <i>E-Brief Tendered: Appellee filed on 11.16.2005</i> <i>Appellee/Cross Appellant Brief Filed filed on 11.17.2005</i> <i>Record Excerpts filed on 12.16.2005</i> <i>E-Brief Tendered: Appellee-Cross Appellant Reply Brief filed on 01.18.2006</i> <i>Reply Brief Filed filed on 01.19.2006</i></p>
<p>Ted Maines Address Not On File</p>	<p>Marcia K. Lippincott Marcia K. Lippincott, P.A. PO BOX 953693 LAKE MARY, FL 32795-3693 (407) 688-2700 Fax: (407) 688-1159 marcy@appellatepartner.com <i>E-Brief Tendered: Appellee filed on 11.27.2005</i> <i>Appellee Brief Filed filed on 11.29.2005</i></p>
	<p>Jill S. Schwartz Jill S. Schwartz & Assoc., P.A.</p>

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	Anne Noel Occhialino 1801 L ST NW WASHINGTON, DC 20507-0001 (202) 663-4724 <i>No Briefing Information Found.</i>

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File Date	Entry	Party	Pending
06/17/2005	Fee Status: Paid (06/17/05) for Federal Express Corporation	Federal Express Corporation	No
06/23/2005	DKT2 (Docketing Notice) issued. To:O'Gorman, Daniel; c:Cooper, Cheryl A.; c:Farrell, Michael J.; c:Franklin-Thomas, Delner; c:Grytdahl, Jay Lloyd; c:Inzeo, Nicholas M.; c:Lewis, Muslima; c:Reams, Gwendolyn Y.; c:Rodriguez, Maria Teresa; c:Schwartz, Jill+		No
06/24/2005	Probable Jurisdiction Noted:	Federal Express Corporation	No
06/28/2005	Appearance Form Submitted.	Jay Lloyd Grytdahl	No
06/28/2005	Civil Appeal Statement Form: (Atty: Jay Lloyd Grytdahl)		No
07/01/2005	Appearance Form Submitted.	Anne Noel Occhialino	No
07/01/2005	Transcript Order Form: (Atty: Jay Lloyd Grytdahl)	Federal Express Corporation	No
07/05/2005	Appearance Form Submitted.	Jill S. Schwartz	No

07/08/2005	Court Reporter Financial Arrangements; Ct. Reporter Tony Rolland		No
07/12/2005	Court Reporter Acknowledgement: Ct. Reporter Tony Rolland; 12/13 - 12/16/04 trial - 12/8/05 pre-trial, voir dire and opening/closing statements		No
08/01/2005	DKT2 (Docketing Notice) issued. To:Farrell, Michael J.; c:Cooper, Cheryl A.; c:Franklin-Thomas, Delner; c:Grytdahl, Jay Lloyd; c:Inzeo, Nicholas M.; c:Lewis, Muslima; c:O'Gorman, Daniel; c:Occhialino, Anne Noel; c:Reams, Gwendolyn Y.; c:Rodriguez, Maria+		No
08/01/2005	Probable Jurisdiction Noted: (Atty: Jill S. Schwartz)	U.S. Equal Employment Opportunity Commission	No
08/05/2005	Transcript Order Form:	U.S. Equal Employment Opportunity Commission	No
08/05/2005	Motion for Extension to File Transcript:	Anthony Rolland	No
08/05/2005	Court Reporter Financial Arrangements:	Anthony Rolland	No
08/08/2005	Civil Appeal Statement Form:	U.S. Equal Employment Opportunity Commission	No
08/11/2005	Motion for Extension to File Transcript is GRANTED to 8/29/05. (SKE)		No
08/11/2005	MOT2 (Notice of court action) issued. To:Rolland, Anthony; c:Grytdahl, Jay Lloyd; c:Occhialino, Anne Noel; c:Schwartz, Jill S.; c:Sheryl L. Loesch		No
08/11/2005	Court Reporter Acknowledgement:	Anthony Rolland	No
08/25/2005	Appearance Form Submitted.	Marcia K. Lippincott	No
08/29/2005	Notice of Transcript Filing Rec. from Ct. Rprtr.:	Anthony Rolland	No
08/29/2005	Transcript Filed in D.C. (12/8/04 thru 12/16/04):	Anthony Rolland	No
09/06/2005	Notice of Transcript Filing Rec. from Ct. Rprtr.:	Anthony Rolland	No
09/06/2005	Transcript Filed in D.C. (12/22/04, 4/14/05 hrgs):	Anthony Rolland	No
09/12/2005	Briefing Notice Issued		No

	09/12/2005	BR1CIV (Letter confirming brief due date) issued. To:Grytdahl, Jay Lloyd; c:Lippincott, Marcia K.; c:Occhialino, Anne Noel; c:Schwartz, Jill S.		No
	10/17/2005	Appellant Brief Filed: (Atty: Jay Lloyd Grytdahl)	Federal Express Corporation	No
	10/17/2005	Record Excerpts: (Atty: Jay Lloyd Grytdahl)	Federal Express Corporation	No
 30pages	10/17/2005	E-Brief Tendered: Appellant by Jay Lloyd Grytdahl for Federal Express Corporation	Federal Express Corporation	No
	10/28/2005	Attorney Changed for: Ted Maines From: Jill S. Schwartz (407) 647-8911 jschwartz@schwartzlawfirm.net To: Lippincott, Marcia K..	Ted Maines	No
	11/01/2005	MOT2 (Notice of court action) issued. To:Lippincott, Marcia K.; c:Grytdahl, Jay Lloyd; c:Occhialino, Anne Noel; c:Schwartz, Jill S.		No
	11/09/2005	Motion to File Excess Pages: (Atty: Anne Noel Occhialino)	U.S. Equal Employment Opportunity Commission	No
	11/16/2005	The motion to file briefs in excess of the page limits, filed by Appellee-Cross Appellant EEOC and Appellant-Cross-Appellee-Federal Express, is GRANTED. JFD		No
	11/16/2005	MOT2 (Notice of court action) issued. c:Cooper, Cheryl A.; c:Farrell, Michael J.; c:Franklin-Thomas, Delner; c:Grytdahl, Jay Lloyd; c:Inzeo, Nicholas M.; c:Lewis, Muslima; c:Lippincott, Marcia K.; c:O'Gorman, Daniel; c:Occhialino, Anne Noel; c:Reams, Gw+		No
 30pages	11/16/2005	E-Brief Tendered: Appellee by Anne Noel Occhialino for U.S. Equal Employment Opportunity Commission	U.S. Equal Employment Opportunity Commission	No
	11/17/2005	Appellee/Cross Appellant Brief Filed: (Atty: Anne Noel Occhialino)	U.S. Equal Employment Opportunity Commission	No
 30pages	11/27/2005	E-Brief Tendered: Appellee by Marcia K. Lippincott for Ted Maines	Ted Maines	No
	11/29/2005	Appellee Brief Filed: (Atty: Marcia K. Lippincott)	Ted Maines	No
	11/29/2005	Motion to Adopt Appellant-Cross-Appellee's Record Excerpts and to file Supplemental Record Excerpts "as is"(Atty: Anne Noel Occhialino)	U.S. Equal Employment Opportunity Commission	No
	12/08/2005	Certificate of Readiness		No
	12/08/2005	Record on Appeal		No

	12/08/2005	Exhibits		No
	12/12/2005	Reply/Cross-Appellee Brief: (Atty: Jay Lloyd Grytdahl)	Federal Express Corporation	No
 30pages	12/12/2005	E-Brief Tendered: Appellant-Cross Appellee Reply Brief by Jay Lloyd Grytdahl for Federal Express Corporation	Federal Express Corporation	No
	12/14/2005	Appearance Form Submitted.	James M. Tucker	No
	12/14/2005	Motion for Extension to File Reply Brief: (Atty: James M. Tucker)	U.S. Equal Employment Opportunity Commission	No
	12/16/2005	Aple-X-Aplt EEOC's Motion to Adopt... record excerpts and to file a supplement record excerpts consisting of one document.... is GRANTED.(EEC)		No
	12/16/2005	MOT2 (Notice of court action) issued. To:Tucker, James M.; c:Grytdahl, Jay Lloyd; c:Lippincott, Marcia K.; c:Occhialino, Anne Noel; c:Schwartz, Jill S.		No
	12/16/2005	Record Excerpts: (Atty: James M. Tucker)	U.S. Equal Employment Opportunity Commission	No
	12/19/2005	The Equal Employment Opportunity Commission's motion for an extension to file it's Reply Brief, until and including January 19, 2006, is GRANTED FMH.		No
	12/19/2005	MOT2 (Notice of court action) issued. c:Grytdahl, Jay Lloyd; c:Lippincott, Marcia K.; c:Occhialino, Anne Noel; c:Schwartz, Jill S.; c:Tucker, James M.		No
 21pages	01/18/2006	E-Brief Tendered: Appellee-Cross Appellant Reply Brief by James M. Tucker for U.S. Equal Employment Opportunity Commission	U.S. Equal Employment Opportunity Commission	No
	01/19/2006	Reply Brief Filed: (Atty: James M. Tucker)	U.S. Equal Employment Opportunity Commission	No
	05/04/2006	Oral Argument Scheduled: 05/04/06		No
	05/08/2006	Jay Lloyd Grytdahl argued for Appellant; Marcia K. Lippincott argued for Appellee; Anne Noel Occhialino argued for Appellee		No
	05/11/2006	Judgment Entered		No
	05/11/2006	OPIN1A (Notice of issuance of opinion) issued. each party bears their own costs on appeal. c:Alfred T. Goodwin; c:Anne Noel Occhialino; c:Baker, David A.; c:James M. Tucker; c:Jay Lloyd Grytdahl; c:Jill S. Schwartz; c:John Antoon, II; c:Marcia K. Lippin+		No

	05/11/2006	Opinion Reissued Amended opinion issued 8/31/06.		No
	05/11/2006	Opinion Issued 05-14108x.		No
	05/24/2006	Motion for Rehearing to Correct Decision: (Atty: Marcia K. Lippincott)	Ted Maines	No
	06/09/2006	Petition for Attorney's Fees:: (Atty: Marcia K. Lippincott)	Ted Maines	No
	06/22/2006	Motion to Strike Motion for Attorney Fee: (Atty: Jay Lloyd Grytdahl)	Federal Express Corporation	No
	06/23/2006	Over the Phone Extension to File Response to Atty Fee Motion Granted by BFW Until 7/5/06.		No
	07/05/2006	Response to Motion to Strike: (Atty: Marcia K. Lippincott)	Ted Maines	No
	07/05/2006	Response to Motion for Attorney Fees		No
	08/28/2006	Aple Maines' mot to correct this Court's opinion to reflect that he did not file a cross-appeal in this matter is GRANTED. A corrected opinion will issue separately.(GBT/RB/GOODWIN)		No
	08/28/2006	MOT2 (Notice of court action) issued. c:Anne Noel Occhialino; c:James M. Tucker; c:Jay Lloyd Grytdahl; c:Jill S. Schwartz; c:Marcia K. Lippincott		No
	10/31/2006	Aplt's motion to strike Aple Maines' fee motion is DENIED. Aple Maines' mo for appellate atty's fees is GRANTED as to entitlement. The issue of the amount to be awarded is hereby TRANSFERRED to the district court.(GBT/RB/GOODWIN)		No
	10/31/2006	MOT2 (Notice of court action) issued. To:Sheryl L. Loesch; c:Anne Noel Occhialino; c:James M. Tucker; c:Jay Lloyd Grytdahl; c:Jill S. Schwartz; c:Marcia K. Lippincott		No
	11/01/2006	Record and Exhibits Returned to District Court: 13vroa, 5fldexh		No
	11/01/2006	CASE CLOSED-Mandate Issued		No
	11/01/2006	Mandate Issued		No
	11/01/2006	MDT1 (Letter issuing mandate) issued. To:Sheryl L. Loesch; c:Anne Noel Occhialino; c:Baker, David A.; c:James M. Tucker; c:Jay Lloyd Grytdahl; c:Jill S. Schwartz; c:Marcia K. Lippincott		No

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