

CLOSED, MSS

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:99-cv-02218-RAL**

EEOC v. Outback Steakhouse
Assigned to: Judge Richard A. Lazzara
Demand: \$0
Case in other court: 01-16640-AA
01-16640A
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/30/1999
Date Terminated: 09/18/2001
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C. Gregory Stewart**
Equal Employment Opportunity
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Miami District Office
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V.

Defendant

Outback Steakhouse Of Florida, Inc.

represented by **Kevin D. Johnson**

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Intervenor Defendant

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represented by **Kevin D. Johnson**
(See above for address)
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ATTORNEY TO BE NOTICED

William Eugene Sizemore
(See above for address)
LEAD ATTORNEY

Intervenor

Dena Zechella

represented by **Jonathan L Alpert**
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TERMINATED: 01/19/2001
LEAD ATTORNEY

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V.

Interested Party

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represented by **Daniel Joy**
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TERMINATED: 08/29/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Movant**Dena Zechella***TERMINATED: 12/28/1999*represented by **Ryan Christopher Rodems**

(See above for address)

*TERMINATED: 12/28/1999**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/30/1999	<u>1</u>	COMPLAINT, jury trial demand, and injunctive relief sought filed (jlg) (Entered: 10/01/1999)
09/30/1999		SUMMONS(ES) issued for Outback Steakhouse . Consent(s) issued. (jlg) (Entered: 10/01/1999)
09/30/1999		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Mary S. Scriven (jlg) (Entered: 10/01/1999)
10/04/1999	<u>2</u>	NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (jnb) (Entered: 10/04/1999)
12/06/1999	<u>3</u>	ANSWER and affirmative defenses to Complaint by Outback Steakhouse (jnb) (Entered: 12/07/1999)
12/13/1999	<u>4</u>	AMENDED ANSWER and affirmative defenses to Complaint by Outback Steakhouse: amends [3-1] answer (jnb) (Entered: 12/14/1999)
12/23/1999	<u>5</u>	MOTION with memorandum in support to intervene by Dena Zechella Injunctive relief sought, jury trial demanded; proposed complaint in intervention attached. (jnb) (Entered: 12/27/1999)
12/23/1999	<u>6</u>	CASE MANAGEMENT REPORT. (jnb) (Entered: 12/27/1999)
12/28/1999	<u>7</u>	ORDER granting [5-1] motion to intervene by Dena Zechella. The clerk shall accept for filing the intervenor's complaint in intervention. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 12/29/1999)
12/28/1999	<u>8</u>	Intervenor's COMPLAINT by Dena Zechella against Outback Steakhouse (jnb) (Entered: 12/29/1999)
01/03/2000	<u>9</u>	CASE MANAGEMENT AND SCHEDULING ORDER setting Third-Party Joinder deadline 3/17/00; Discovery cutoff 10/13/00; Deadline for filing of motions 12/8/00; Pretrial conference for 2:00 2/22/01; Scheduled for Magistrate Judge Mary S. Scriven; Jury trial set for term commencing 4/2/01 before Judge Richard A. Lazzara (signed by cdc/rjc) ctc (jnb) Modified on 01/04/2000 (Entered: 01/04/2000)
01/03/2000		Jury trial set for term commencing 4/2/01 Scheduled for Judge Richard A. Lazzara (jnb) (Entered: 01/04/2000)
01/05/2000	<u>10</u>	MOTION by Outback Steakhouse with memorandum in support for clarification of [7-1] order granting intervention , for reconsideration of [7-1] order granting intervention (jnb) Modified on 01/12/2000 (Entered: 01/06/2000)

01/07/2000	<u>11</u>	ORDER granting [10-1] motion for clarification of [7-1] order granting intervention, granting [10-2] motion for reconsideration of [7-1] order granting intervention. It was the court's intention to allow the plaintiff-intervenor to intervene only in the part of the action brought by the EEOC under Title VII. It is not the court's intention to allow her to intervene as to the claim brought under the Equal Pay Act. (Signed by Judge Richard A. Lazzara) ctc (jnb) Modified on 01/13/2000 (Entered: 01/10/2000)
05/12/2000	<u>12</u>	MEDIATION REPORT: Voluntary Mediation conference held 5/10/00; Wayne Thomas, mediator; Hearing outcome, Impasse (map) (Entered: 05/12/2000)
05/26/2000	<u>13</u>	MOTION by Dena Zechella with memorandum in support for leave to amend [8-1] intervenor complaint Proposed amended intervenor complaint attached. (rm) Modified on 05/30/2000 (Entered: 05/30/2000)
06/12/2000	<u>14</u>	RESPONSE by Outback Steakhouse to [13-1] motion for leave to amend [8-1] intervenor complaint (jnb) (Entered: 06/13/2000)
06/15/2000	<u>15</u>	ORDER granting [13-1] motion for leave to amend [8-1] intervenor complaint, set answer due for 7/10/00 for Outback Steakhouse for amended complaint (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 06/16/2000)
06/15/2000	<u>16</u>	AMENDED INTERVENOR'S COMPLAINT: amending [8-1] intervenor complaint (jnb) (Entered: 06/16/2000)
07/14/2000	<u>17</u>	ANSWER and affirmative defenses by Outback Steakhouse to [16-1] amended intervenor complaint (jnb) (Entered: 07/17/2000)
08/16/2000	<u>18</u>	MOTION by EEOC, Outback Steakhouse, Dena Zechella with memorandum in support (joint) for enlargement of time until 1/15/01 for discovery cutoff , (joint) for enlargement of time for deadline for filing dispositive motions (jnb) (Entered: 08/16/2000)
08/17/2000	<u>19</u>	ORDER granting [18-1] motion for enlargement of time until 1/15/01 for discovery cutoff, granting [18-2] motion for enlargement of time for deadline for filing dispositive motions, reset discovery due for 12/15/00 , reset dispositive motion filing deadline for 1/15/01 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 08/18/2000)
12/01/2000	<u>20</u>	MOTION by EEOC, Outback Steakhouse, Dena Zechella with memorandum in support (joint) for enlargement of time until 2/16/01 for discovery cutoff (jnb) (Entered: 12/04/2000)
12/05/2000	<u>21</u>	ORDER granting [20-1] motion for enlargement of time until 2/16/01 for discovery cutoff, reset discovery due for 2/16/01 , reset dispositive motion filing deadline for 4/2/01 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 12/06/2000)
12/14/2000	<u>22</u>	JOINT MOTION by Dena Zechella (joint stipulation) for substitution of counsel (jnb) (Entered: 12/15/2000)
12/14/2000	<u>23</u>	NOTICE of lien by Jonathan Alpert, counsel for Dena Zechella(jnb) Modified on 12/15/2000 (Entered: 12/15/2000)

12/18/2000	24	ORDER granting [22-1] joint motion for substitution of counsel terminated attorney Ryan Christopher Rodems for Dena Zechella; Added Jonathan L. Alpert. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 12/18/2000)
01/09/2001	25	ORDER, set pretrial conference for 9:00 2/22/01 scheduled for Magistrate Judge Mary S. Scriven , set pretrial statement deadline for 2/19/01 (Signed by Magistrate Judge Mary S. Scriven) ctc (jnb) (Entered: 01/10/2001)
01/18/2001	26	ORDER, reset pretrial conference for 9:30 7/25/01 scheduled for Magistrate Judge Mary S. Scriven , reset pretrial statement deadline for 7/20/01 , reset jury trial for 9/4/01 scheduled for Judge Richard A. Lazzara (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 01/19/2001)
01/19/2001	27	MOTION by Dena Zechella with memorandum in support to continue final pretrial conference referred to Magistrate Judge Mary S. Scriven (jnb) (Entered: 01/22/2001)
01/19/2001	27	NOTICE by Dena Zechella of change of address for counsel (jnb) (Entered: 01/22/2001)
01/23/2001	28	ORDER granting [27-1] motion to continue final pretrial conference (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 01/24/2001)
02/15/2001	29	MOTION by EEOC with memorandum in support to compel discovery referred to Magistrate Judge Mary S. Scriven (jnb) (Entered: 02/16/2001)
03/12/2001	30	UNOPPOSED MOTION by Outback Steakhouse (unopposed) for enlargement of time to file response to motion to compel ; proposed response attached. (jnb) (Entered: 03/14/2001)
03/13/2001	31	ORDER granting [29-1] motion to compel discovery (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 03/14/2001)
03/15/2001	32	ORDER denying [30-1] consent motion for enlargement of time to file response to motion to compel as moot. The clerk shall file the defendant's response for record purposes. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 03/16/2001)
03/15/2001	33	RESPONSE by Outback Steakhouse to [29-1] motion to compel discovery (jnb) (Entered: 03/16/2001)
03/15/2001	34	(NOTICE OF FILING) AFFIDAVIT of James Butler by Outback Steakhouse Re: [33-1] motion response; attached. (jnb) (Entered: 03/16/2001)
03/28/2001	35	MOTION by EEOC, Outback Steakhouse, Dena Zechella with memorandum in support to extend time for filing dispositive motions (jlh) (Entered: 03/28/2001)
03/29/2001		ENDORSED ORDER granting [35-1] motion to extend time for filing dispositive motions, reset dispositive motion filing deadline for 4/17/01 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 03/29/2001)
04/13/2001	36	MOTION by EEOC for partial summary judgment (jnb) (Entered: 04/16/2001)
04/13/2001	37	STATEMENT OF MATERIAL FACTS NOT IN DISPUTE by EEOC regarding motion for partial summary judgment [36-1] (jnb) (Entered: 04/16/2001)

04/17/2001	<u>38</u>	MOTION by Outback Steakhouse with memorandum in support for enlargement of page limits for dispositive motion for summary judgment ; proposed motion for summary judgment attached. (jnb) (Entered: 04/18/2001)
04/18/2001	<u>39</u>	NOTICE of filing materials in support of motion for summary judgment by Outback Steakhouse (filed under separate cover) (jnb) Modified on 04/19/2001 (Entered: 04/19/2001)
04/18/2001	<u>40</u>	ORDER granting [38-1] motion for enlargement of page limits for dispositive motion for summary judgment (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 04/19/2001)
04/18/2001	<u>41</u>	MOTION by Outback Steakhouse with memorandum in support for summary judgment (jnb) (Entered: 04/20/2001)
04/30/2001	<u>42</u>	RESPONSE by Outback Steakhouse to [36-1] motion for partial summary judgment (jnb) (Entered: 05/01/2001)
05/01/2001	<u>43</u>	MOTION by EEOC, Dena Zechella with memorandum in support (unopposed) for enlargement of time until 5/25/01 to file response to motion for summary judgment (jnb) (Entered: 05/02/2001)
05/03/2001		ENDORSED ORDER granting [43-1] motion for enlargement of time until 5/25/01 to file response to motion for summary judgment, response to motion set to 5/25/01 for [41-1] motion for summary judgment by intervenor-defendant by defendant (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 05/03/2001)
05/08/2001	<u>44</u>	ORDER denying [36-1] motion for partial summary judgment (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 05/09/2001)
05/23/2001	<u>45</u>	RESPONSE by Dena Zechella to [41-1] motion for summary judgment (jnb) (Entered: 05/24/2001)
05/23/2001	<u>46</u>	NOTICE of filing depositions in support of response to motion for summary judgment by Dena Zechella (jnb) (Entered: 05/24/2001)
05/23/2001	47	DEPOSITION of Sharon Jenkins by Dena Zechella re: [45-1] motion response Transcript filed separately. (jnb) (Entered: 05/24/2001)
05/23/2001	48	DEPOSITION of David Chriss by Dena Zechella re: [45-1] motion response. Transcript filed separately. (jnb) (Entered: 05/24/2001)
05/23/2001	49	DEPOSITION of Timothy Gerald Martin by Dena Zechella re: [45-1] motion response. Transcript filed separately. (jnb) (Entered: 05/24/2001)
05/23/2001	50	DEPOSITION of Steven C. Stanley by Dena Zechella re: [45-1] motion response. Transcript filed separately. (jnb) (Entered: 05/24/2001)
05/23/2001	51	DEPOSITION of Linda Wolfe by Dena Zechella re: [45-1] motion response. Transcript filed separately. (jnb) (Entered: 05/24/2001)
05/25/2001	<u>52</u>	MOTION by EEOC with memorandum in support (unopposed) for leave to file response to defendant's motion for summary judgment in excess of the page limitations ; proposed response attached. (jnb) (Entered: 05/29/2001)

05/25/2001	<u>53</u>	STATEMENT OF MATERIAL FACTS which are in dispute by EEOC (jnb) (Entered: 05/29/2001)
05/30/2001	<u>54</u>	ORDER granting [52-1] motion for leave to file response to defendant's motion for summary judgment in excess of the page limitations (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 05/31/2001)
05/30/2001	<u>55</u>	RESPONSE by EEOC to [41-1] motion for summary judgment (jnb) (Entered: 06/01/2001)
07/10/2001	<u>56</u>	ORDER denying [41-1] motion for summary judgment. See order for details. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 07/10/2001)
07/12/2001	<u>57</u>	ORDER, reset pretrial conference for 10:00 8/7/01; scheduled for Magistrate Judge Mary S. Scriven , reset joint pretrial statement deadline for 8/2/01 (Signed by Magistrate Judge Mary S. Scriven) ctc (jnb) (Entered: 07/13/2001)
07/12/2001	<u>58</u>	NOTICE by EEOC of unavailability of counsel from 9/16/01 to 9/30/01 due to the Jewish High Holidays (jnb) (Entered: 07/13/2001)
07/16/2001	<u>59</u>	ORDER that plaintiff's counsel shall have available another attorney to try this case in the event it is called for trial during the periods when the plaintiff's lead trial attorney is unavailable. (Signed by Judge Richard A. Lazzara) ctc (jlh) (Entered: 07/16/2001)
07/16/2001	<u>60</u>	NOTICE of attorney appearance for EEOC by Rachel H. Shonfield (jnb) (Entered: 07/17/2001)
08/02/2001	<u>61</u>	JOINT PRETRIAL STIPULATION. (jnb) (Entered: 08/03/2001)
08/07/2001	<u>62</u>	PRETRIAL CONFERENCE held on 8/7/01 before Magistrate Judge Mary S. Scriven. Estimated 3 days jury trial. Tape: 74/634-2644. (jnb) (Entered: 08/08/2001)
08/09/2001	<u>63</u>	ORDER directing that motions in limine be timely filed and directing compliance with Local Rule 3/01(g). See order for details. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 08/09/2001)
08/10/2001	<u>64</u>	TRIAL CALENDAR scheduled for Judge Richard A. Lazzara; Jury trial deadline for term commencing 9/4/01 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 08/13/2001)
08/20/2001	<u>65</u>	MOTION by EEOC in limine to exclude introduction of prejudicial handwritten damages estimate, not authored by the charging party (jnb) (Entered: 08/21/2001)
08/20/2001	<u>66</u>	MOTION by Dena Zechella with memorandum in support in limine regarding defendant's exhibit 69 (jnb) (Entered: 08/21/2001)
08/20/2001	<u>67</u>	AFFIDAVIT of Dena Zechella by Dena Zechella Re: [66-1] motion in limine regarding defendant's exhibit 69 (jnb) (Entered: 08/21/2001)
08/20/2001	<u>68</u>	MOTION by Outback Steakhouse with memorandum in support in limine to preclude introduction of evidence regarding amounts paid to EMK Consultants (jnb) (Entered: 08/21/2001)

08/22/2001	<u>69</u>	ORDER granting motion to computer equipment for use at trial for attorney Rachel Shonfield. (Signed by Magistrate Judge Mary S. Scriven) etc (jnb) (Entered: 08/23/2001)
08/22/2001	<u>70</u>	ORDER denying without prejudice [68-1] motion in limine to preclude introduction of evidence regarding amounts paid to EMK Consultants, denying without prejudice [66-1] motion in limine regarding defendant's exhibit 69, denying without prejudice [65-1] motion in limine to exclude introduction of prejudicial handwritten damages estimate, not authored by the charging party to be renewed at the appropriate time during the course of trial. reset jury trial for date certain 9:00 9/10/01; scheduled for Judge Richard A. Lazzara (Signed by Judge Richard A. Lazzara) etc (jnb) (Entered: 08/23/2001)
08/27/2001	<u>71</u>	RESPONSE by Dena Zechella to [68-1] motion in limine to preclude introduction of evidence regarding amounts paid to EMK Consultants (jnb) (Entered: 08/28/2001)
08/28/2001	<u>72</u>	CONCISE JOINT STATEMENT of the nature of the action by Dena Zechella (jnb) (Entered: 08/28/2001)
08/29/2001	<u>73</u>	PRETRIAL ORDER filed. All motions in limine shall be filed by 8/20/01 and responses shall be filed by 8/27/01. set jury trial for date certain 9/10/01; scheduled for Judge Richard A. Lazzara See order for details. (Signed by Magistrate Judge Mary S. Scriven) etc (jnb) (Entered: 08/29/2001)
08/29/2001	<u>74</u>	TRIAL BRIEF by Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	<u>75</u>	PROPOSED voir dire questions by Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	<u>76</u>	PLAINTIFF'S AND INTERVENOR'S NOTICE of filing jury instructions and verdict form by Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	<u>77</u>	PROPOSED jury instructions by EEOC, Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	77	PROPOSED verdict form filed by EEOC, Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	<u>78</u>	(NOTICE OF ADOPTION) JOINDER in [77-1] instructions jury, [77-1] form proposed verdict by Dena Zechella (jnb) (Entered: 08/30/2001)
08/29/2001	<u>79</u>	MOTION by EEOC with memorandum in support (unopposed) to enlarge the page limit for EEOC's trial brief ; proposed trial brief attached. (jnb) (Entered: 08/30/2001)
08/29/2001	<u>80</u>	PROPOSED voir dire questions by EEOC (jnb) (Entered: 08/30/2001)
08/29/2001	<u>81</u>	TRIAL BRIEF by Outback Steakhouse (jnb) (Entered: 08/30/2001)
08/29/2001	<u>82</u>	PROPOSED voir dire questions by Outback Steakhouse (jnb) (Entered: 08/30/2001)
08/29/2001	<u>83</u>	(REQUEST TO CHARGE) PROPOSED jury instructions by Outback Steakhouse (jnb) (Entered: 08/30/2001)

08/30/2001	84	ORDER granting [79-1] motion to enlarge the page limit for EEOC's trial brief (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 08/31/2001)
08/30/2001	85	TRIAL BRIEF by EEOC (jnb) (Entered: 09/06/2001)
09/11/2001	86	JURY TRIAL, day 1, held on 9/10/01 before Judge Richard A. Lazzara. Court recessed until 9/11/01 at 9:00. Court reporter: Claudia Spangler-Fry. (jnb) (Entered: 09/12/2001)
09/11/2001	87	JURY TRIAL, day 2, held on 9/11/01 before Judge Richard A. Lazzara. Court recessed until 9/12/01 at 9:00. Court reporter: Claudia Spangler-Fry. (jnb) (Entered: 09/12/2001)
09/12/2001	88	JURY TRIAL, day 3, held on 9/12/01 before Judge Richard A. Lazzara. Court recessed until 9/13/01 at 9:30. Court reporter Claudia Spangler-Fry. (jnb) (Entered: 09/13/2001)
09/13/2001	89	JURY TRIAL held on 9/13/01 before Judge Richard A. Lazzara. Court recessed until 9/14/01 at 12:00. Court reporter Claudia Spangler-Fry (jnb) (Entered: 09/17/2001)
09/17/2001	90	WITNESS LIST by plaintiff EEOC (filed in open court) (jnb) Modified on 09/18/2001 (Entered: 09/18/2001)
09/17/2001	91	EXHIBIT LIST by plaintiff EEOC (filed in open court) (jnb) (Entered: 09/18/2001)
09/17/2001	92	EXHIBIT LIST by defendant Outback Steakhouse (filed in open court) (jnb) (Entered: 09/18/2001)
09/17/2001	93	WITNESS LIST by defendant Outback Steakhouse (filed in open court) (jnb) (Entered: 09/18/2001)
09/17/2001	94	AMENDED PROPOSED jury instructions (request to charge) by Outback Steakhouse (filed in open court). (jnb) (Entered: 09/18/2001)
09/17/2001	95	WITNESS LIST by intervenor Dena Zechella (filed in open court). (jnb) (Entered: 09/18/2001)
09/17/2001	96	EXHIBIT LIST by intervenor Dena Zechella (filed in open court) (jnb) (Entered: 09/18/2001)
09/17/2001	97	MOTION by Outback Steakhouse (request) for modification of verdict form . (jnb) (Entered: 09/18/2001)
09/18/2001	98	JURY TRIAL held on 9/17/01 before Judge Richard A. Lazzara; case goes to jurors for deliberations. Jurors recess until 9/18/01 at 9:00. Court reporter Claudia Spangler-Fry. (jnb) (Entered: 09/18/2001)
09/18/2001	99	NOTICE of exhibits placed in the exhibit room (1 folder) (jlh) (Entered: 09/18/2001)
09/18/2001	100	JURY TRIAL held on 9/18/01 before Judge Richard A. Lazzara. Jury verdict in favor of plaintiff for \$27,108.28 for difference in earnings, \$36,894.61 in back pay, \$50,000.00 for pain and suffering, \$2,100,000.00 for punitive damages. Pursuant to 42 U.S.C. Section 1981a(b)(3)(D) the total amount of punitive

		damages a person can recover is \$300,000.00. The clerk shall enter judgment against Outback in the total amount of \$364,002.89. Court reporter Claudia Spangler-Fry (jnb) (Entered: 09/19/2001)
09/18/2001	101	COURT'S EXHIBIT LIST (jnb) (Entered: 09/19/2001)
09/18/2001	102	COURT'S JURY INSTRUCTIONS (jnb) (Entered: 09/19/2001)
09/18/2001	103	JURY VERDICT for Dena Zechella (jnb) (Entered: 09/19/2001)
09/18/2001	104	JUDGMENT for Dena Zechella against Outback Steakhouse in the amount of \$364,002.89 for which sum let execution issue. Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (jnb) (Entered: 09/19/2001)
09/18/2001		CASE CLOSED. (jnb) (Entered: 09/19/2001)
09/28/2001	105	MOTION by Dena Zechella for an award of attorney fees , for an award of costs (jnb) (Entered: 10/01/2001)
09/28/2001	106	MEMORANDUM by Dena Zechella in support of [105-1] motion for an award of attorney fees, [105-2] motion for an award of costs. (jnb) (Entered: 10/01/2001)
09/28/2001	107	AFFIDAVIT of Ryan Christopher Rodems by Dena Zechella Re: [105-1] motion for an award of attorney fees, [105-2] motion for an award of costs. (jnb) (Entered: 10/01/2001)
10/01/2001	108	MOTION by Outback Steakhouse with memorandum in support (emergency unopposed) for enlargement of page limits for Rule 50 motion , (emergency unopposed) for enlargement of page limits for new trial (jnb) (Entered: 10/03/2001)
10/02/2001	109	TRANSCRIPT of trial, volume 1, held on 9/10/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/03/2001)
10/02/2001	110	TRANSCRIPT of trial, volume 2, held on 9/11/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/03/2001)
10/02/2001	111	TRANSCRIPT of trial, volume 3, held on 9/12/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) Modified on 10/09/2001 (Entered: 10/03/2001)
10/02/2001	112	TRANSCRIPT of trial, volume 4, held on 9/13/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/03/2001)
10/02/2001	113	TRANSCRIPT of trial, volume 5, held on 9/17/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/03/2001)
10/02/2001	114	TRANSCRIPT of trial, volume 6, held on 9/18/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/03/2001)
10/02/2001	115	MOTION by EEOC (renewed) for judgment as a matter of law on the issue of the illegality of defendant's release (jnb) (Entered: 10/03/2001)
10/02/2001	116	NOTICE of filing affidavit of hours and costs by the law firm of Alpert & Ferrentino, P.A. former counsel for Dena Zechella. (jnb) (Entered: 10/03/2001)

10/02/2001	117	AFFIDAVIT of Michael Arenas by Alpert & Ferrentino, P.A. former counsel for Dena Zechella Re: [105-1] motion for an award of attorney fees, [105-2] motion for an award of costs. (jnb) (Entered: 10/03/2001)
10/02/2001	118	UNOPPOSED MOTION by EEOC (unopposed) to tax costs (jnb) (Entered: 10/03/2001)
10/02/2001	119	MEMORANDUM by EEOC in support of [118-1] consent motion to tax costs (jnb) (Entered: 10/03/2001)
10/02/2001	120	ORDER granting [108-1] motion for enlargement of page limits for Rule 50 motion, granting [108-2] motion for enlargement of page limits for new trial (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/03/2001)
10/02/2001	121	MOTION by Outback Steakhouse with memorandum in support for new trial (jnb) (Entered: 10/03/2001)
10/02/2001	122	MOTION by Outback Steakhouse with memorandum in support for judgment as a matter of law (jnb) (Entered: 10/03/2001)
10/02/2001	123	APPENDIX by Outback Steakhouse to [121-1] motion for new trial, [122-1] motion for judgment as a matter of law. (jnb) (Entered: 10/03/2001)
10/03/2001	124	NOTICE of claim of lien by Alpert & Ferrentino (jnb) (Entered: 10/04/2001)
10/04/2001	125	ORDER granting [118-1] consent motion to tax costs. Costs in the sum of \$3,717.86 are taxed against the defendant and in favor of the plaintiff. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/05/2001)
10/04/2001	126	MOTION by Outback Steakhouse with memorandum in support to alter or amend judgment [104-1] judgment order (jnb) (Entered: 10/05/2001)
10/04/2001	127	NOTICE of filing corrected post-trial motions by Outback Steakhouse (jnb) (Entered: 10/09/2001)
10/04/2001	128	CORRECTED MOTION amending [121-1] motion (corrected) for new trial by Outback Steakhouse (jnb) (Entered: 10/09/2001)
10/04/2001	129	CORRECTED MOTION amending [122-1] motion (corrected) for judgment as a matter of law by Outback Steakhouse (jnb) (Entered: 10/09/2001)
10/09/2001	130	ORDER denying [126-1] motion to alter or amend judgment [104-1] judgment order. The plaintiff and intervenor shall respond to the defendant's alternative request for relief under Rule 60. The court defers ruling on the alternative request for relief pending the responses from the intervenor and the plaintiff. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/10/2001)
10/09/2001	131	TRANSCRIPT of pretrial conference held on 8/7/01 before Judge Mary S. Scriven. Transcript filed separately. (jnb) (Entered: 10/10/2001)
10/10/2001	132	ORDER denying as moot [121-1] motion for new trial, denying as moot [122-1] motion for judgment as a matter of law (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/10/2001)
10/10/2001	133	NOTICE of filing transcript excerpts in support of post-trial motions by Outback Steakhouse; excerpts filed under separate cover. (jnb) (Entered: 10/11/2001)

10/11/2001	134	MOTION by EEOC, Dena Zechella with memorandum in support (emergency) for enlargement of time until 10/31/01 to respond to defendant's postjudgment motions , (emergency unopposed) for leave to file responses to defendant's motions in excess of the page limits (jnb) (Entered: 10/11/2001)
10/12/2001	135	ORDER granting [134-1] motion for enlargement of time until 10/31/01 to respond to defendant's postjudgment motions, granting [134-2] motion for leave to file responses to defendant's motions in excess of the page limits, response to motion set to 10/31/01 for [129-1] amended motion for judgment as a matter of law by intervenor-defendant set to 10/31/01 for [128-1] amended motion for new trial by intervenor-defendant (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/12/2001)
10/15/2001	136	MOTION by Dena Zechella for leave to supplement motion for attorneys' fees ; proposed declaration attached. (jnb) Modified on 10/15/2001 (Entered: 10/15/2001)
10/15/2001	137	RESPONSE by Dena Zechella to [126-1] motion to alter or amend judgment [104-1] judgment order. (jnb) (Entered: 10/15/2001)
10/15/2001	138	COMBINED RESPONSE by Dena Zechella to [129-1] corrected motion for judgment as a matter of law, [128-1] corrected motion for new trial. (jnb) (Entered: 10/15/2001)
10/15/2001	139	NOTICE of filing trial transcripts by Dena Zechella. (jnb) (Entered: 10/15/2001)
10/15/2001	140	TRANSCRIPT of trial, volume 1, held on 9/10/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	141	TRANSCRIPT of trial, volume 2, held on 9/11/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	142	TRANSCRIPT of trial, volume 3, held on 9/12/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	143	TRANSCRIPT of trial, volume 4, held on 9/13/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	144	TRANSCRIPT of trial, volume 5, held on 9/17/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	145	TRANSCRIPT of trial, volume 6, held on 9/18/01 before Judge Richard A. Lazzara. Transcript filed separately. (jnb) (Entered: 10/15/2001)
10/15/2001	146	RESPONSE by Outback Steakhouse to [105-1] motion for an award of attorney fees, [105-2] motion for an award of. (jnb) (Entered: 10/15/2001)
10/17/2001	147	ORDER granting [136-1] motion for leave to supplement motion for attorneys' fees. The court shall accept for filing the declaration of Ryan Christopher Rodems which accompanied the motion. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/18/2001)
10/17/2001	148	AFFIDAVIT (DECLARATION) of Ryan Christopher Rodems by Dena Zechella Re: [105-1] motion for an award of attorney fees, [105-2] motion for an award of costs. (jnb) (Entered: 10/18/2001)

10/18/2001	149	RESPONSE by Outback Steakhouse to [115-1] motion for judgment as a matter of law on the issue of the illegality of defendant's release. (jnb) (Entered: 10/19/2001)
10/24/2001	150	ORDER denying [115-1] motion for judgment as a matter of law on the issue of the illegality of defendant's release (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/25/2001)
10/24/2001	151	ORDER denying [128-1] amended motion for new trial (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/25/2001)
10/24/2001	152	ORDER denying [129-1] amended motion for judgment as a matter of law (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/25/2001)
10/24/2001	153	ORDER granting [126-1] motion to alter or amend judgment [104-1] judgment order. The clerk is directed to enter an amended judgment in the sum of \$346,369.43. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/25/2001)
10/25/2001	154	ORDER granting [105-1] motion for an award of attorney fees to the intervenor in the amount of \$84,750.00; granting [105-2] motion for an award of costs to the intervenor in the amount of 5,751.38. The clerk is directed to enter judgment for the intervenor in the sum of \$90,501.38. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 10/26/2001)
10/25/2001	155	SUPPLEMENTAL DECLARATION by Dena Zechella to [148-1] affidavit of Ryan Christopher Rodems in support of motion for an award of reasonable attorneys' fees, expenses and costs. (jnb) (Entered: 10/26/2001)
10/26/2001	156	AMENDED JUDGMENT for Dena Zechella against Outback Steakhouse in the amount of \$346,369.43. Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (jnb) (Entered: 10/26/2001)
10/26/2001	157	JUDGMENT for Dena Zechella in the amount of \$90,501.38. Civil appeals checklist mailed. (signed by Deputy Clerk) (jnb) (Entered: 10/26/2001)
10/31/2001	158	MOTION by Dena Zechella with memorandum in support to alter or amend judgment [157-1] , or, in the alternative, for attorney fees or costs for attorney's fees incurred prior to 12/1/00 . (jnb) (Entered: 11/01/2001)
11/02/2001	159	ORDER denying [158-1] motion to alter or amend judgment [157-1], denying [158-2] motion for attorney fees or costs for attorney's fees incurred prior to 12/1/00 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 11/05/2001)
11/20/2001	160	NOTICE OF APPEAL by Outback Steakhouse re: [157-1] judgment order, [156-1] judgment order, [152-1] order, [151-1] order, [150-1] order. Filing fee \$105.00; Receipt #T012962. Transcript information form due 12/4/01 ctc (jlg) Modified on 11/21/2001 (Entered: 11/21/2001)
11/21/2001		TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [160-1] appeal. Transcript information form sent. (jlg) (Entered: 11/21/2001)

11/29/2001	161	POST-TRIAL MOTION by EEOC with memorandum in support for injunctive relief . (jnb) (Entered: 11/30/2001)
11/30/2001	162	TRANSCRIPT INFORMATION FORM filed re: [160-1] appeal; transcript not requested; Certificate of readiness due 12/14/01; USCA # has not been received. (mrh) (Entered: 12/03/2001)
12/03/2001	163	ORDER denying without prejudice [161-1] motion for injunctive relief to being renewed following the termination of the appeal in the event the 11th Circuit affirms. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 12/04/2001)
12/04/2001		NOTICE assigning 11th Circuit case number re: [160-1] appeal The initial appeal package was received by the USCA on 11/27/01. USCA case #: 01-16640A (dlg) (Entered: 12/04/2001)
12/11/2001	164	NOTICE by Outback Steakhouse of change of address for counsel. (jnb) (Entered: 12/12/2001)
12/17/2001	165	NOTICE of filing supersedeas bond by Outback Steakhouse. (jnb) (Entered: 12/19/2001)
12/17/2001	166	BOND (SUPERSEDEAS) posted by Outback Steakhouse in the amount of \$ 452,008.00 held by Traveler's Casualty and Surety Company of America. (Returned to defendant's counsel, pursuant to Court's [184-1] endorsed order granting motion for release of supersedeas bond)) (jnb) Modified on 04/07/2003 (Entered: 12/19/2001)
12/17/2001	167	MOTION by Outback Steakhouse with memorandum in support for approval of supersedeas bond , to stay of enforcement . (jnb) (Entered: 12/19/2001)
12/19/2001	168	ORDER granting [167-1] motion for approval of supersedeas bond, granting [167-2] motion to stay of enforcement. The defendant's proffered bond in the sum of \$452,008.00 is accepted. The court stays enforcement of its judgments pending the outcome of the appeal. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 12/19/2001)
12/21/2001	169	NOTICE OF APPEAL by EEOC re: [152-1] order, [156-1] judgment order; Transcript information form due 1/4/02 ctc (plk) (Entered: 12/27/2001)
12/27/2001		TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable, re: [169-1] appeal. Transcript information form sent. (plk) (Entered: 12/27/2001)
01/09/2002	170	TRANSCRIPT INFORMATION FORM filed re: [169-1] appeal; transcripts of trial proceedings held on 9/10/01-9/18/01 requested; Court reporter (Claudia Spangler-Fry) acknowledgment due 1/23/02. USCA # 01-16640-A (crs) (Entered: 01/10/2002)
01/11/2002	171	NOTIFICATION that transcripts have been filed by court reporter Claudia Spangler-Fry re: [169-1] appeal. Certificate of readiness due 1/25/02. USCA # 01-16640-A (crs) (Entered: 01/14/2002)
01/15/2002		NOTICE dated 1/2/02 assigning 11th Circuit case number re: [169-1] appeal. Appeal number assigned: USCA case #: 01-16640-AA (crs) (Entered: 01/15/2002)

		01/16/2002)
01/22/2002	172	CERTIFICATE of readiness with certified copies of indexed district court docket sheet sent to USCA re: [160-1] appeal, [169-1] appeal (ROA consists of: Volume pleadings: 4; Volume transcripts: 13; Volume exhibits: 4 folders (3 documentary, 1 trial;) USCA# 01-16640-A (crs) (Entered: 01/22/2002)
02/01/2002		ACKNOWLEDGMENT by USCA of receiving certificate of readiness on 1/25/02 re: [160-1] appeal, [169-1] appeal. USCA # 01-16640-AA (crs) (Entered: 02/04/2002)
04/29/2002	173	ORDER (USCA) dismissing [160-1] appeal, dismissing [169-1] cross appeal for lack of jurisdiction. The appellee-cross appellant's motion to dismiss appeal is granted. Issued in lieu of the mandate: 4/26/02. USCA # 01-16640-AA (crs) (Entered: 04/29/2002)
05/07/2002	174	MOTION by Dena Zechella with memorandum in support for injunctive relief (jnb) (Entered: 05/08/2002)
05/09/2002	175	ORDER. The parties are directed to engage in good faith mediation with the Honorable Mary S. Scriven at a date, time, and place to be scheduled by Judge Scriven; deferring [174-1] motion for injunctive relief pending the outcome of the mediation process; the defendant is relieved of the obligation to respond to the motion pending outcome of the mediation process. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 05/10/2002)
05/10/2002	176	NOTICE of filing motion for injunctive relief pursuant to the 11th Circuit Court of Appeals remand by EEOC (jnb) (Entered: 05/13/2002)
05/10/2002	177	MOTION by EEOC with memorandum in support for injunctive relief (jnb) (Entered: 05/13/2002)
05/13/2002	178	ORDER deferring [177-1] motion for injunctive relief pending the outcome of the mediation process previously ordered by this court. The defendant is relieved of the obligation to respond to the motion pending the outcome of the mediation process. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 05/14/2002)
07/12/2002	179	ORDER, set mediation conference for 9:00 9/13/02 before Magistrate Judge Mary S. Scriven . The parties are directed to submit their respective mediation to Judge Scriven's chambers by 9/6/02. (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 07/15/2002)
08/20/2002	180	JOINT STIPULATION by EEOC, Outback Steakhouse, Dena Zechella (joint stipulation) to continue mediation scheduling until 9/20/02 at 9:30 (jnb) (Entered: 08/21/2002)
08/21/2002	181	ORDER, reset mediation conference for 9:30 9/20/02 . The parties shall submit their mediation to Judge Scriven's chambers by 9/13/02. (Signed by Magistrate Judge Mary S. Scriven) ctc (jnb) (Entered: 08/22/2002)
08/22/2002		ENDORSED ORDER granting [180-1] joint motion to continue mediation scheduling until 9/20/02 at 9:30, reset mediation conference for 9:30 9/20/02 (Signed by Judge Richard A. Lazzara) ctc (jnb) (Entered: 08/23/2002)

08/29/2002	182	NOTICE of excusal of counsel from case by Daniel Joy, attorney for Alpert & Ferrentino and request for removal from certificate of service. (jnb) (Entered: 09/03/2002)
03/24/2003	183	POST-JUDGMENT CONSENT DECREE by EEOC, Dena Zechella, Outback Steakhouse. (eec) Modified on 03/24/2003 (Entered: 03/24/2003)
03/25/2003		ENDORSED ORDER granting [183-1] decree consent. (Signed by Judge Richard A. Lazzara) ctc (eec) (Entered: 04/03/2003)
04/03/2003	184	UNOPPOSED MOTION by Outback Steakhouse with supporting memorandum of law (unopposed) for release of supersedeas bond (ag) (Entered: 04/04/2003)
04/04/2003		ENDORSED ORDER granting [184-1] unopposed motion for release of supersedeas bond. (Signed by Judge Richard A. Lazzara), ctc (ag) (Entered: 04/07/2003)
08/10/2005	185	EXHIBIT RETURN TO PLAINTIFF AND INTERVENOR COUNSEL ONLY.The records in this case indicate that this case was disposed of more than thirty (30) days ago. The records also indicate that the Clerk's Office is in possession of various exhibits used during the proceedings.Pursuant to Local Rule 5.04, you are notified that you have thirty (30) days to contact the Clerk's Office to arrange for the removal of the exhibits from the custody of the Clerk's Office, or the exhibits will be destroyed, as permitted by Local Rule 5.04. (jlh,) (Entered: 08/10/2005)
01/09/2006	186	CLERK'S certificate of destruction of exhibits and/or exhibit substitutes (Plaintiff and defendant) (jlh,) (Entered: 01/09/2006)
08/29/2006	187	CLERK'S certificate of destruction of Court's exhibits and/or exhibit substitutes (jlh,) (Entered: 08/29/2006)

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