

CLOSED, TBM

**U.S. District Court  
Middle District of Florida (Tampa)  
CIVIL DOCKET FOR CASE #: 8:02-cv-01770-JSM**

EEOC v. Rare Hospitality  
Assigned to: Judge James S. Moody, Jr  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/30/2002  
Date Terminated: 11/05/2003  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Carla Johanna Von Greiff**  
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**Intervenor Plaintiff**

**Colleen A. Falkowski**

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V.

**Defendant**

**Rare Hospitality International, Inc.**  
*doing business as*  
Longhorn Steak House

represented by **Lisa L. Ballentine**  
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**Mediator**

**Cary R. Singletary**  
*TERMINATED: 11/03/2003*

represented by **Cary R. Singletary**  
 #  
 Cary R. Singletary, P.A.  
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 813/301-9339  
 PRO SE

**Intervenor Defendant**

**Rare Hospitality International, Inc.**  
*doing business as*  
 Longhorn Steak House

represented by **Richard K. Fueyo**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard M. Hanchett**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/30/2002	<a href="#"><u>1</u></a>	COMPLAINT for action under Title 7 of the Civil Rights Act of 1964 and Title 1 of the Civil Rights Act of 1991 filed; jury trial demanded; injunctive relief sought. Filing fee waived. (mrh) Modified on 10/01/2002 (Entered: 10/01/2002)
09/30/2002		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Thomas B. McCoun, III (mrh) (Entered: 10/01/2002)
09/30/2002		SUMMONS(ES) issued for Rare Hospitality International, Inc. Consent (s) issued. (mrh) (Entered: 10/01/2002)
10/02/2002	<a href="#"><u>2</u></a>	NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (eec) (Entered: 10/03/2002)
10/16/2002	<a href="#"><u>3</u></a>	MOTION by Colleen A. Falkowski to intervene by Colleen A. Falkowski (eec) (Entered: 10/17/2002)
11/01/2002	<a href="#"><u>4</u></a>	RESPONSE by Rare Hospitality to [3-1] motion to intervene by Colleen A. Falkowski. (eec) (Entered: 11/04/2002)
11/08/2002	<a href="#"><u>5</u></a>	ORDER granting [3-1] motion to intervene by Colleen A. Falkowski; clerk is to file the complaint of intervention. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 11/12/2002)
11/12/2002	<a href="#"><u>6</u></a>	INTERVENOR'S COMPLAINT by Colleen A. Falkowski against Rare Hospitality. (eec) (Entered: 11/13/2002)
11/12/2002	6	DEMAND for jury trial by Colleen A. Falkowski. (eec) (Entered: 11/13/2002)

12/02/2002	<a href="#">7</a>	RETURN of service executed as to Rare Hospitality on 11/20/02; Answer due on 12/10/02 for Rare Hospitality. (eec) (Entered: 12/03/2002)
12/05/2002	<a href="#">8</a>	APPEARANCE of non-resident counsel and designation of local counsel as to Rare Hospitality. Local counsel: Richard M. Hanchett. Non-resident counsel: Lisa L. Ballentine, Tracie Y. Johnson. (eec) (Entered: 12/06/2002)
12/10/2002	<a href="#">9</a>	ANSWER AND AFFIRMATIVE DEFENSES to [1-1] complaint by Rare Hospitality. (eec) (Entered: 12/11/2002)
12/20/2002	<a href="#">10</a>	ANSWER and affirmative defenses to [1-1] complaint by Rare Hospitality (wlb) (Entered: 12/23/2002)
12/20/2002	<a href="#">11</a>	UNOPPOSED MOTION by EEOC (unopposed) to substitute attorney (wlb) (Entered: 12/23/2002)
12/23/2002		PROPOSED consent decree filed (jlh) (Entered: 12/24/2003)
01/02/2003	<a href="#">12</a>	ORDER granting [11-1] unopposed motion to substitute attorney; terminated attorney Carla J. Von Greiff for EEOC; Added Jennifer N. Brown. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 01/03/2003)
03/18/2003	<a href="#">13</a>	ORDER TO SHOW cause for failure to file case management report; Response due on 4/1/03 for EEOC, for Colleen A. Falkowski. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 03/19/2003)
03/20/2003	<a href="#">14</a>	CASE MANAGEMENT REPORT. (eec) (Entered: 03/21/2003)
03/28/2003	<a href="#">15</a>	RESPONSE to show cause order filed by plaintiff EEOC. (eec) (Entered: 03/31/2003)
03/28/2003	<a href="#">16</a>	RESPONSE to show cause order filed by intervenor-plaintiff Colleen A. Falkowski. (eec) (Entered: 03/31/2003)
04/11/2003	<a href="#">17</a>	CASE MANAGEMENT AND SCHEDULING ORDER setting third-party/joinder on 6/20/03; plaintiffs' expert disclosure on 7/18/03; defendant's expert disclosure on 8/22/03; Discovery cutoff 9/29/03; dispositive motion filing deadline for 10/27/03; Pretrial statement due on or before 1/6/04; Pretrial conference for 9:00 1/9/04; Jury trial set during the 2/2/04 trial term Scheduled for Judge James S. Moody Jr. ( signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 04/11/2003)
07/30/2003	<a href="#">18</a>	ORDER referring case to mediation. Parties shall select a mediator on or before 8/29/03. Conduct hearing on or before 12/31/03; Lead counsel, Jennifer N. Brown, to coordinate dates. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 07/31/2003)
07/30/2003	<a href="#">19</a>	NOTICE by Rare Hospitality of unavailability of counsel from 10/6/03 to 10/13/03. (eec) (Entered: 07/31/2003)
08/29/2003	<a href="#">20</a>	NOTICE OF SCHEDULING MEDIATION: mediation conference for 11/7/03, mediator: Cary Singletary (eec) (Entered: 09/03/2003)

09/04/2003	<a href="#">21</a>	ORDER appointing Cary R. Singletary as mediator in this action. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 09/05/2003)
09/24/2003	<a href="#">22</a>	JOINT MOTION by EEOC, Colleen A. Falkowski, Rare Hospitality (joint) for the deposition of Melissa Hriczko, Gina Leonard, and Danielle Linville to be completed outside the discovery time frame referred to Magistrate Judge Thomas McCoun III. (eec) (Entered: 09/24/2003)
09/26/2003		ENDORSED ORDER granting [22-1] joint motion for the deposition of Melissa Hriczko, Gina Leonard, and Danielle Linville to be completed outside the discovery time frame. ( Signed by Magistrate Judge Thomas B. McCoun III ) ctc (eec) (Entered: 09/29/2003)
11/03/2003	<a href="#">23</a>	MEDIATION REPORT. Mediation conference held: 10/30/03. Cary R. Singletary, mediator. Hearing outcome: settled. (eec) (Entered: 11/04/2003)
11/05/2003	<a href="#">24</a>	ORDER OF DISMISSAL this cause is dismissed without prejudice subject to the right of any party to reopen the action within 60 days, or to submit a stipulated form of final order or judgment; clerk is to close the file. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 11/05/2003)
11/05/2003		CASE CLOSED. (eec) (Entered: 11/05/2003)
12/23/2003	<a href="#">25</a>	NOTICE of filing consent decree by EEOC, Rare Hospitality, Colleen A. Falkowski (jlh) (Entered: 12/24/2003)
12/23/2003	<a href="#">25</a>	STIPULATION of consent order of dismissal with prejudice by EEOC, Rare Hospitality, Colleen A. Falkowski (jlh) (Entered: 12/24/2003)
12/30/2003	<a href="#">26</a>	ORDER granting [25-1] dismiss/dismissal stipulation; this cause is dismissed with prejudice. ( Signed by Judge James S. Moody Jr. ) ctc (eec) (Entered: 12/30/2003)
12/30/2003	<a href="#">27</a>	CONSENT DECREE by EEOC, Rare Hospitality. (Signed by Judge James S. Moody, Jr.) ctc (eec) (Entered: 12/30/2003)

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