

CLOSED

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:04-cv-01862-SDM-MSS**

United States Equal Employment Opportunity Commission v.
WAL-MART Stores, Inc.
Assigned to: Judge Steven D. Merryday
Referred to: Magistrate Judge Mary S. Scriven
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/12/2004
Date Terminated: 04/17/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**United States Equal Employment
Opportunity Commission**

represented by **Carla Johanna Von Greiff**
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V.

Defendant

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PRO SE

Date Filed	#	Docket Text
08/12/2004	<u>1</u>	COMPLAINT against WAL-MART Stores, Inc. ; jury demand , filed by United States Equal Employment Opportunity Commission.(bsn) (Entered: 08/17/2004)
08/23/2004	<u>2</u>	Summons issued as to WAL-MART Stores, Inc. Consent(s) issued. (bsn) (Entered: 08/25/2004)
08/30/2004	<u>3</u>	NOTICE of designation under Local Rule 3.05 - track 2. Signed by Deputy Clerk on 8/30/2004. (Attachments: # <u>1</u> Case Management Report)(maa) (Entered: 08/31/2004)
10/12/2004	<u>4</u>	RETURN of service executed on 9/28/04 by United States Equal Employment Opportunity Commission as to WAL-MART Stores, Inc. (bsn) (Entered: 10/13/2004)
10/19/2004	<u>5</u>	<i>Defendant's ANSWER to complaint and Affirmative Defenses</i> by WAL-MART Stores, Inc..(Chanfrau, Kelly) (Entered: 10/19/2004)
11/18/2004	<u>6</u>	NOTICE by United States Equal Employment Opportunity Commission <i>Regarding Actual Or Apparent Conflict of Interest Regarding Magistrate Judge (Von Greiff, Carla)</i> (Entered: 11/18/2004)
11/22/2004	<u>7</u>	ORDER OF RECUSAL. Judge Elizabeth A. Jenkins recused. Clerk is directed to re-assign this matter. Signed by Judge Elizabeth A. Jenkins on 11/22/2004. (CM) (Entered: 11/22/2004)
11/22/2004	<u>8</u>	Case Assigned to Judge Mary S. Scriven. New case number: 8:04-cv-1862-T-23MSS (bsn) (Entered: 11/24/2004)
12/03/2004	<u>9</u>	CASE MANAGEMENT REPORT. (Chanfrau, Kelly) (Entered: 12/03/2004)
12/28/2004	<u>10</u>	CASE MANAGEMENT AND SCHEDULING ORDER: Discovery due by 10/31/2005. Joinder of Parties due by 2/28/2005. Dispositive Motions due by 12/12/2005. Pretrial Conference set for 2/7/2006 11:00 AM in Courtroom 11 A before Magistrate Judge Elizabeth A. Jenkins. Jury Trial set for trial term commencing 3/6/2006 before Judge Steven D. Merryday. Signed by Judge Steven D. Merryday on 12/28/2004. (maa) (Entered: 12/28/2004)
01/11/2005	<u>11</u>	ORDER REFERRING CASE to mediation before Peter J. Grilli, Mediator. Lead counsel Delner Franklin-Thomas to coordinate dates. Mediation shall be conducted on or before 07/01/2005. Signed by Judge Steven D. Merryday on 1/12/2005. (Attachments: # <u>1</u> Mediation Attachment/Report)(maa) (Entered: 01/12/2005)
01/12/2005	<u>12</u>	AMENDED CASE MANAGEMENT AND SCHEDULING ORDER: Discovery due by 10/31/2005. Joinder of Parties due by 2/28/2005. Motions due by 12/12/2005. PRETRIAL CONFERENCE RESET FOR: 2/9/2006 09:30 AM in Courtroom 10 A before Magistrate Judge Mary S. Scriven. Jury Trial set for trial term commencing 3/6/2006 before Judge Steven D. Merryday. Signed by

		Judge Steven D. Merryday on 1/12/2005. (maa) (Entered: 01/12/2005)
01/25/2005	13	NOTICE by United States Equal Employment Opportunity Commission of <i>Scheduling Mediation</i> (Von Greiff, Carla) (Entered: 01/25/2005)
03/09/2005	14	Unopposed MOTION to extend time to May 19, 2005 for <i>Mediation Deadline</i> by WAL-MART Stores, Inc.. (Chanfrau, Kelly) (Entered: 03/09/2005)
03/10/2005	15	ENDORSED ORDER granting 14 --Wal-Mart's unopposed motion to extend the mediation deadline to May 19, 2005. Signed by Judge Steven D. Merryday on 3/10/2005. (BK) (Entered: 03/10/2005)
04/04/2005	16	NOTICE by United States Equal Employment Opportunity Commission of <i>Substitution of Counsel</i> (Von Greiff, Carla) (Entered: 04/04/2005)
04/08/2005	17	Unopposed MOTION to amend/correct <i>Answer and Supporting Memorandum of Law</i> by WAL-MART Stores, Inc.. (Attachments: # 1 # 2 # 3 # 4)(Chanfrau, Kelly) (Entered: 04/08/2005)
04/12/2005	18	ORDER granting 17 --defendant's unopposed motion to amend its answer to the complaint. The Clerk shall FILE the amended answer attached to Doc. 17 --the motion to amend. Signed by Judge Steven D. Merryday on 4/12/2005. (BK) (Entered: 04/12/2005)
04/12/2005	19	AMENDED ANSWER and affirmative defenses to complaint by WAL-MART Stores, Inc.(BK) Modified on 4/13/2005 (bsn). (Entered: 04/12/2005)
04/18/2005	20	NOTICE of unavailability of counsel by United States Equal Employment Opportunity Commission from May 27, 2005 to June 13, 2005. (Von Greiff, Carla) (Entered: 04/18/2005)
06/28/2005	21	MEDIATION REPORT Hearing held on May 19, 2005 Hearing outcome: the parties have reached an impasse.(Grilli, Peter) (Entered: 06/28/2005)
08/16/2005	22	NOTICE by United States Equal Employment Opportunity Commission of <i>Withdrawal of Michael Farrell as Counsel of Record</i> (Von Greiff, Carla) (Entered: 08/16/2005)
09/07/2005	23	MOTION for summary judgment (<i>partial</i>) by WAL-MART Stores, Inc.. (Chanfrau, Kelly) (Entered: 09/07/2005)
09/07/2005	24	APPENDIX re 23 MOTION for summary judgment (<i>partial</i>) by WAL-MART Stores, Inc. (filed separately). (Attachments: # 1 Exhibit Index I.A. - Gliotti depo excerpts# 2 Exhibit Index I.B. - Rylance depo excerpts# 3 Exhibit Index II.C. - Ex. 24 Charge of Discrimination# 4 Exhibit Index II.D. - Ex. 25 Voluntary Petition# 5 Exhibit Index II.E. - Ex. 26 Form 7 Statement of Financial Affairs.pdf# 6 Exhibit Index III.F. - Ex. 10 Associate's Commendation# 7 Exhibit Index III.G. - Ex. 12 Letter 1-28-03# 8 Exhibit Index III.H. - Ex. 13 Letter 3-12-03# 9 Exhibit Index IV.I. - Dkt 1 Certified Copy of Voluntary Petition# 10 Exhibit Index IV.J. - Dkt 6 Certified Copy of Final Decree# 11 Exhibit Index IV.K. - Dkt 7 Certified Copy of Discharge of Debtor# 12 Exhibit Index IV.L. - Dkt 10 Certified Copy of Trustee's Motion to Revoke Final Decree# 13 Exhibit Index IV.M. - Dkt 13 Order Granting Trustee's Motion to Revoke Final Decree# 14 Exhibit Index IV.N. - Dkt 18 Certified Copy of Application for Appointment.pdf# 15 Exhibit Index IV.O. - Dkt 19 Certified Copy of Order

		Authorizing)(Chanfrau, Kelly) (Entered: 09/07/2005)
09/09/2005	<u>25</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>In Opposition to Defendant's Partial Motion For Summary Judgment</i> by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 09/09/2005)
09/12/2005	<u>26</u>	ENDORSED ORDER granting <u>25</u> --plaintiff's unopposed motion to extend to 10/4/05 the time within which to respond to <u>23</u> --Wal-Mart's motion for partial summary judgment. Signed by Judge Steven D. Merryday on 9/12/2005. (BK) (Entered: 09/12/2005)
09/30/2005	<u>27</u>	MOTION to intervene (<i>Trustee's Motion to Join, or Alternatively to Intervene, as a Plaintiff and Memorandum of Law in Support</i>) by Susan K Woodard. (Prather, Laura) (Entered: 09/30/2005)
10/04/2005	<u>28</u>	RESPONSE in opposition re <u>23</u> MOTION for summary judgment (<i>partial</i>) filed by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 10/04/2005)
10/04/2005	<u>29</u>	NOTICE by United States Equal Employment Opportunity Commission of <i>Filing Exhibits in Support of Re</i> <u>28</u> <i>EEOC's Response In Opposition to Defendant's Partial Motion For Summary Judgment</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Affidavit Rylance# <u>11</u> Affidavit Woodard# <u>12</u> Gliotti deposition excerpts# <u>13</u> Rylance deposition excerpts, part 1# <u>14</u> Rylance deposition excerpts, part 2# <u>15</u> Rylance deposition excerpts, Part 3# <u>16</u> Maxwell deposition excerpts# <u>17</u> Klein deposition excerpts# <u>18</u> Paul deposition excerpts)(Von Greiff, Carla) Modified on 10/5/2005 (bn). (Entered: 10/04/2005)
10/07/2005	<u>30</u>	Consent MOTION to take deposition from Larry Dollar <i>On November 16, 2005, Outside Of the Discovery Period</i> by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 10/07/2005)
10/19/2005	<u>31</u>	ORDER granting <u>30</u> Motion to Complete the Deposition of Larry Dollar outside of the discovery cut-off. Signed by Judge Mary S. Scriven on 10/19/2005.(ACD) (Entered: 10/19/2005)
10/20/2005	<u>32</u>	RESPONSE to motion re <u>27</u> MOTION to intervene (<i>Trustee's Motion to Join, or Alternatively to Intervene, as a Plaintiff and Memorandum of Law in Support</i>) filed by WAL-MART Stores, Inc.. (Chanfrau, Kelly) (Entered: 10/20/2005)
10/21/2005	<u>33</u>	NOTICE by WAL-MART Stores, Inc. re <u>29</u> Notice (Other) of <i>Objection to Affidavit Testimony of Ms. Rylance</i> (Chanfrau, Kelly) Modified on 10/25/2005 (bn). (Entered: 10/21/2005)
10/31/2005	<u>34</u>	Joint MOTION for Extension of Time to Complete Discovery by United States Equal Employment Opportunity Commission, WAL-MART Stores, Inc.. (Chanfrau, Kelly) (Entered: 10/31/2005)
11/01/2005	<u>35</u>	ORDER granting <u>34</u> the parties' Joint Motion to Extend Discovery Deadline. See Order for details. Signed by Judge Mary S. Scriven on 11/1/2005.(ACD) (Entered: 11/01/2005)

11/03/2005	36	RESPONSE re 33 Notice (Other) <i>By Defendant of Objection To Affidavit Testimony</i> filed by United States Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A# 2 Exhibit B)(Von Greiff, Carla) (Entered: 11/03/2005)
11/28/2005	37	MOTION to compel <i>Independent Mental Examinations and Motion to Extend Time for Submission of Expert Reports</i> by WAL-MART Stores, Inc.. (Attachments: # 1 Exhibit A - Email correspondence dated October 10 and October 11, 2005# 2 Exhibit B - October 18, 2005, correspondence to EEOC# 3 Exhibit C - October 21, 2005 Email from counsel for the EEOC# 4 Exhibit D - Email exchange between counsel for Wal-Mart and counsel for the EEOC# 5 Exhibit E - Plaintiff's Initial Disclosures# 6 Exhibit F - Plaintiff EEOC's Response to Interrogatory No. 1)(Chanfrau, Kelly) (Entered: 11/28/2005)
12/11/2005	38	RESPONSE in opposition re 37 MOTION to compel <i>Independent Mental Examinations and Motion to Extend Time for Submission of Expert Reports</i> filed by United States Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Exhibit A# 2 Exhibit Exhibit B# 3 Exhibit Exhibit C# 4 Exhibit Exhibit D# 5 Exhibit Exhibit E)(Cooper, Cheryl) (Entered: 12/11/2005)
12/12/2005	39	Second MOTION for partial summary judgment <i>and Memorandum in Support</i> by WAL-MART Stores, Inc.. (Chanfrau, Kelly) (Entered: 12/12/2005)
12/12/2005	40	APPENDIX re 39 Second MOTION for partial summary judgment <i>and Memorandum in Support</i> by WAL-MART Stores, Inc. (filed separately). (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H# 9 Exhibit I# 10 Exhibit J# 11 Exhibit K# 12 Exhibit L)(Chanfrau, Kelly) (Entered: 12/12/2005)
12/12/2005	41	NOTICE of Appearance by Kelly Hagan Chanfrau on behalf of WAL-MART Stores, Inc. (Chanfrau, Kelly) (Entered: 12/12/2005)
12/14/2005	42	MOTION for Extension of Time to File Response/Reply to 39 motion by United States Equal Employment Opportunity Commission. (Dreilinger, Lauren) Modified on 12/15/2005 (bn). (Entered: 12/14/2005)
12/16/2005	43	ENDORSED ORDER granting 42 --plaintiff's unopposed motion to extend time within which to respond to 39 --second motion for partial summary judgment. Response due 1/17/2006 . Signed by Judge Steven D. Merryday on 12/15/2005. (BK) (Entered: 12/16/2005)
12/30/2005	44	ORDER granting 37 Motion to compel. See Order for details and new Case Management deadlines. Signed by Judge Mary S. Scriven on 12/30/2005.(ACD) (Entered: 12/30/2005)
01/04/2006	45	Unopposed MOTION for Extension of Time to File Response/Reply <i>In Opposition to Defendant's Second Motion For Partial Summary Judgment</i> by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 01/04/2006)
01/04/2006	46	Consent MOTION to take deposition from Sean Dolan <i>On January 19, 2006, Outside of the Discovery Period</i> by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 01/04/2006)

01/05/2006	47	ORDER granting 46 Motion to Take Deposition of Witness Sean Dolan Outside of the Discovery Period. Signed by Judge Mary S. Scriven on 1/5/2006.(ACD) (Entered: 01/05/2006)
01/06/2006	48	ORDER granting 45 --plaintiff's motion for extension of time to file response to second motion for summary judgment. Response due 1/31/2006 . Signed by Judge Steven D. Merryday on 1/5/2006. (BK) (Entered: 01/06/2006)
01/12/2006	49	Unopposed MOTION to extend time to Designate Rebuttal Expert Witness And Exchange Rebuttal Expert Witness Report by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 01/12/2006)
01/13/2006	50	ORDER granting 49 Motion to extend time. See Order for details. Signed by Judge Mary S. Scriven on 1/13/2006.(ACD) (Entered: 01/13/2006)
01/17/2006	51	NOTICE of Appearance by Peter Reed Corbin on behalf of WAL-MART Stores, Inc. (Corbin, Peter) (Entered: 01/17/2006)
01/31/2006	52	RESPONSE in opposition re 39 Second MOTION for partial summary judgment <i>and Memorandum in Support</i> filed by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 01/31/2006)
01/31/2006	53	NOTICE by United States Equal Employment Opportunity Commission of <i>Filing Exhibits In Support of EEOC's Response In Opposition To Defendant's Second Motion For Summary Judgment</i> (Attachments: # 1 Exhibit J# 2 Exhibit K# 3 Affidavit Barnett# 4 Affidavit Ware# 5 Dolan deposition excerpts# 6 Dollar deposition excerpts part 1# 7 Dollar deposition excerpts part 2# 8 Stephens deposition excerpts part 1# 9 Stephens deposition excerpts part 2# 10 Lynn deposition excerpts# 11 Paul deposition excerpts# 12 Klein deposition excerpts# 13 Luthin deposition excerpts)(Von Greiff, Carla) (Entered: 01/31/2006)
02/09/2006	54	NOTICE by WAL-MART Stores, Inc. re 52 Response in opposition to motion, 53 Notice (Other), Notice (Other), Notice (Other) of <i>Objection to Improper Deposition Testimony</i> (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D)(Chanfrau, Kelly) (Entered: 02/09/2006)
02/24/2006	55	RESPONSE re 54 Notice (Other), Notice (Other) <i>To Defendant's Objection To Deposition Testimony Submitted By Plaintiff In Response To Second Motion For Partial Summary Judgment</i> filed by United States Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11)(Von Greiff, Carla) (Entered: 02/24/2006)
03/29/2006	56	NOTICE of Settlement <i>Joint</i> by United States Equal Employment Opportunity Commission (Von Greiff, Carla) (Entered: 03/29/2006)
04/17/2006	57	ORDER re 56 --notice of settlement; dismissing action without prejudice. Clerk shall TERMINATE any pending motions and CLOSE the case. Signed by Judge Steven D. Merryday on 4/15/2006. (BK) (Entered: 04/17/2006)
05/31/2006	58	NOTICE by United States Equal Employment Opportunity Commission of <i>Filing Consent Decree for Court Approval</i> (Attachments: # 1 Exhibit Consent Decree)(Von Greiff, Carla) (Entered: 05/31/2006)

06/13/2006	59	ORDER rejecting 58 --EEOC's proposed consent decree. Signed by Judge Steven D. Merryday on 6/13/2006. (BK) (Entered: 06/13/2006)
06/14/2006	60	Joint MOTION for Extension of Time to File <i>Motion For Approval of Consent Decree</i> by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 06/14/2006)
06/15/2006	61	ENDORSED ORDER granting 60 --motion to extend to 7/14/2006 the time within which to submit a motion for approval of a consent decree. Signed by Judge Steven D. Merryday on 6/15/2006. (BK) (Entered: 06/15/2006)
07/13/2006	62	Joint MOTION For Approval of Consent Decree by United States Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Consent Decree)(Von Greiff, Carla) (Entered: 07/13/2006)
07/24/2006	63	ORDER denying 62 --EEOC's motion for approval of consent decree. Signed by Judge Steven D. Merryday on 7/24/2006. (BK) (Entered: 07/24/2006)
08/01/2006	64	Joint MOTION for Extension of Time to File <i>Renewed Motion for Approval of Consent Decree</i> by United States Equal Employment Opportunity Commission. (Dreilinger, Lauren) (Entered: 08/01/2006)
08/02/2006	65	ENDORSED ORDER granting 64 --joint motion to extend to 8/25/06 the time within which to move for approval of consent decree. Signed by Judge Steven D. Merryday on 8/2/2006. (BK) (Entered: 08/02/2006)
08/23/2006	66	Second MOTION Joint For Approval of Consent Decree by United States Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 08/23/2006)
08/31/2006	67	ORDER granting 66 --motion for entry of consent judgment. Terms of proposed consent judgment are adopted. The defendant shall comply with terms of consent judgment, which is incorporated by reference and attached to this order. (Attachments: # 1) Court declines to retain jurisdiction except as necessary to enforce consent judgment. Clerk shall TERMINATE any pending motion and CLOSE the file. Signed by Judge Steven D. Merryday on 8/31/2006. (BK) (Entered: 08/31/2006)

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