

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:97-cv-00760-JDW**

Middleton, et al v. Publix Super Market
Assigned to: Judge James D. Whittemore
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 04/03/1997
Date Terminated: 02/23/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Lemuel Middleton
*individually and on behalf of all other
persons similarly situated*

represented by **Peter Kent Spriggs**
Spriggs Law Firm
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ATTORNEY TO BE NOTICED

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Plaintiff

Reginald Lewis
*individually and on behalf of all other
persons similarly situated*

represented by **Peter Kent Spriggs**
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LEAD ATTORNEY
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John Clark Davis
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Walter Edwards Aye
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Plaintiff

John Kee
*individually and on behalf of all other
persons similarly situated*
TERMINATED: 03/22/1999

represented by **Peter Kent Spriggs**
(See above for address)
LEAD ATTORNEY
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John Clark Davis
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Plaintiff

Sharon Flowers
*individually and on behalf of all other
persons similarly situated*

represented by **John Clark Davis**
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Peter Kent Spriggs
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Walter Edwards Aye
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Plaintiff

Gaston Hazelwood
*individually and on behalf of all other
persons similarly situated*

represented by **John Clark Davis**
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Peter Kent Spriggs
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Walter Edwards Aye
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Plaintiff

Cynthia Jones–McCall

represented by **Peter Kent Spriggs**
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John Clark Davis
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Walter Edwards Aye
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Plaintiff

Willie Jones
*individually and on behalf of all other
persons similarly situated*

represented by **Peter Kent Spriggs**
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LEAD ATTORNEY
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John Clark Davis
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Walter Edwards Aye
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ATTORNEY TO BE NOTICED

Plaintiff

Joya Fulton
*individually and on behalf of all other
persons similarly situated*

represented by **John Clark Davis**
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LEAD ATTORNEY
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Peter Kent Spriggs
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Walter Edwards Aye
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Laswanya Jackson
individually and on behalf of all other
persons similarly situated
TERMINATED: 03/22/1999

represented by **John Clark Davis**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Kent Spriggs
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LEAD ATTORNEY
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Plaintiff

David Kee
individually and on behalf of all other
persons similarly situated
TERMINATED: 03/17/1999

represented by **Peter Kent Spriggs**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Clark Davis
(See above for address)

Plaintiff

Byron Williams
individually and on behalf of all other
persons similarly situated
TERMINATED: 03/17/1999

represented by **Peter Kent Spriggs**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Clark Davis
(See above for address)

Plaintiff

Victor Kee
individually and on behalf of all other
persons similarly situated
TERMINATED: 01/23/2001

represented by **Peter Kent Spriggs**
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LEAD ATTORNEY
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John Clark Davis
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Walter Edwards Aye
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Plaintiff

Andrew Lovett
individually and on behalf of all other
persons similarly situated
TERMINATED: 01/23/2001

represented by **Peter Kent Spriggs**
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LEAD ATTORNEY
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John Clark Davis
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Walter Edwards Aye
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Plaintiff

Madeline Riley
*individually and on behalf of all other
persons similarly situated*
TERMINATED: 11/12/1997

represented by **Peter Kent Spriggs**
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John Clark Davis
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Plaintiff

Sherria Campbell
*individually and on behalf of all other
persons similarly situated*
TERMINATED: 03/17/1999

represented by **John Clark Davis**
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Plaintiff

Charles Jackson
*individually and on behalf of all other
persons similarly situated*
TERMINATED: 03/17/1999

represented by **John Clark Davis**
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Peter Kent Spriggs
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V.

Defendant

Publix Super Markets, Inc.

represented by **C. Geoffrey Weirich**
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Movant

Steven Marrs

represented by **Howard S. Susskind**
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ATTORNEY TO BE NOTICED*

Jeffrey R. Freund

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Plaintiff

Charmaine Washington
TERMINATED: 03/21/2000

represented by **John Clark Davis**
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Kessler T. Roberts

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Walter Edwards Aye
 (See above for address)
TERMINATED: 03/21/2000
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/03/1997	<u>1</u>	CLASS ACTION COMPLAINT filed – employment discrimination/race – jury demanded (crb) (Entered: 04/07/1997)
04/03/1997		FILING FEE PAID in the amount of \$150.00 Receipt # 53709 (crb) (Entered: 04/07/1997)
04/03/1997		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Thomas McCoun (crb) (Entered: 04/07/1997)
04/03/1997		SUMMONS(ES) issued for Publix Super Market. Consent(s) issued. (crb) (Entered: 04/07/1997)
04/11/1997	2	MOTION by Lemuel Middleton and plaintiffs with memorandum in support for leave to conduct class communications ; attachments. (crb) (Entered: 04/14/1997)
04/17/1997	3	NOTICE of designation under Local Rule 3.05 – TRACK 3. (ctc) (crb) (Entered: 04/17/1997)
04/17/1997	4	RESPONSE by Publix Super Market to [2–1] motion for leave to conduct class communications. Attachment. (crb) (Entered: 04/18/1997)
04/22/1997	5	EMERGENCY MOTION by Lemuel Middleton and plaintiffs with memorandum in support to be relieved from Local Rule 4.04(e); so that plaintiffs' counsel can respond to inquiries from potential class members ; attachments. (crb) Modified on 04/24/1997 (Entered: 04/22/1997)
04/22/1997	6	RESPONSE by Publix Super Market to [6–1] emergency motion to be relieved from Local Rule 4.04(e); so that plaintiffs' counsel can respond to inquiries from potential class members. (crb) Modified on 04/24/1997 (Entered: 04/22/1997)
04/22/1997	7	ORDER granting [2–1] plaintiffs' motion for leave to conduct class communications; denying as moot [6–1] motion to be relieved from Local Rule 4.04(e). (Signed by Judge Henry L. Adams Jr.) ctc (crb) Modified on 04/24/1997 (Entered: 04/23/1997)
04/23/1997		FAXED a copy of order 8 to Kent Spriggs, Esq. and Dinita James, Esq. (crb) (Entered: 04/23/1997)
04/25/1997	9	CONSENTED MOTION by Publix Super Market with memorandum in support to extend time to 05/19/97 in which to respond to the complaint (crb) (Entered: 04/25/1997)
04/28/1997	10	ORDER granting [9–1] motion to extend time to 05/19/97 in which to respond to the complaint. Defendant has until 5/19/97 to respond to complaint. reset answer due for 5/19/97 for Publix Super Market (Signed by Judge Henry L. Adams Jr.) ctc (gw) (Entered: 04/28/1997)
04/30/1997	11	APPLICATION of Non–Resident Counsel and Designation of Local Counsel as to Publix Super Market . Local Counsel: . Non–Resident Counsel: . (crb) (Entered: 05/01/1997)
04/30/1997	11	APPLICATION of Non–Resident Counsel, C. Geoffrey Weirich and William B. Hill, Jr. of Paul, Hastings, and Designation of Local Counsel, Dinita L. James of Trenam, Kember, on behalf of Publix Super Market. Good Standing forms attached. (crb) (Entered: 05/01/1997)

05/05/1997	12	MOTION by Lemuel Middleton, Reginald Lewis, John Kee, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Laswanya Jackson, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Madeline Riley, Sherria Campbell, Charles Jackson with memorandum in support to take discovery relating to class action issues referred to Mag. Judge Thomas B. McCoun III. (crb) (Entered: 05/07/1997)
05/05/1997	13	MOTION by Lemuel Middleton, Reginald Lewis, John Kee, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Laswanya Jackson, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Madeline Riley, Sherria Campbell, Charles Jackson with memorandum in support to extend time to 09/30/97 in which to file class certification motion (crb) (Entered: 05/07/1997)
05/06/1997	14	MEMORANDUM by Publix Super Market in opposition to [13-1] motion to extend time to 09/30/97 in which to file class certification motion. (crb) (Entered: 05/07/1997)
05/09/1997	15	ORDER granting [12-1] plaintiffs' motion to take class action discovery; granting [13-1] plaintiffs' motion to extend time in which to file class certification motion; reset class action discovery due for 9/15/97 ; case management report is due on 05/23/97; motions related to class allegation discovery shall be filed by 08/15/97; responses are due seven days thereafter; plaintiff shall file a motion for class certification by 09/30/97; defendants' response is due 10/21/97; plaintiffs' reply is due 10/28/97; set hearing on motion for class certification for 11/14/97 at 9:00 Scheduled for Judge Henry L. Adams Jr. ; joint statement pertaining to class allegations is due five days before the hearing on 11/14/97; case management report on merits discovery and motion practice is due three days prior to hearing on 11/14/97; discovery on merits shall commence on 10/29/97 ; set hearing for preliminary pretrial conference for 11/14/97 at 9:00 Scheduled for Judge Henry L. Adams Jr. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 05/13/1997)
05/09/1997		Deadline corrected; set preliminary pretrial conference for 9:00 a.m. on 11/14/97 Scheduled for Judge Henry L. Adams Jr. as set by order 15 (crb) (Entered: 05/13/1997)
05/16/1997	16	MOTION by Lemuel Middleton and plaintiffs with memorandum in support in limine re: releases by defendant to potential class members , in limine re: exclusion of class "B" sworn declaration , in limine re: notice to potential class members ; attachments. SEE: 01/14/98 Publix's Notice of imminent change of factual circumstances 178 . (crb) Modified on 01/15/1998 (Entered: 05/16/1997)
05/19/1997	17	ANSWER to complaint with defenses by Publix Super Market. (crb) (Entered: 05/20/1997)
05/23/1997	18	CASE MANAGEMENT REPORT on class certification discovery. (crb) (Entered: 05/27/1997)
06/02/1997	19	RESPONSE by Publix Super Market to [16-1] motion in limine re: releases by defendant to potential class members, [16-2] motion in limine re: exclusion of class "B" sworn declaration, [16-3] motion in limine re: notice to potential class members. Attachments. SEE: 01/14/98 Publix's Notice of imminent change of factual circumstances 178 (crb) Modified on 01/15/1998 (Entered: 06/04/1997)
06/03/1997	20	NOTICE of JOINT REPORT on resolution of case management dispute by Lemuel Middleton and class plaintiffs and Publix Super Market. (crb) (Entered: 06/04/1997)
06/03/1997	20	MOTION by Lemuel Middleton and class plaintiffs and Publix Super Market with memorandum in support to extend time to 10/06/97 in which to complete expert discovery regarding class certification (crb) (Entered: 06/04/1997)
06/05/1997	21	STIPULATION and JOINT MOTION for order governing the exchange and protection of confidential information by plaintiff Lemuel Middleton and class plaintiffs and defendant Publix Super Market. Proposed order affixed. (crb) (Entered: 06/09/1997)
06/09/1997	22	ORDER approving [21-1] stipulation re: governing the exchange and protection of confidential information. (Signed by Mag. Judge Thomas B. McCoun III) ctc

		(crb) (Entered: 06/10/1997)
06/25/1997	23	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to compel disclosure of electronic human resources data referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 06/26/1997)
06/25/1997	23	DECLARATION of Florence Toalston by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel. (crb) (Entered: 06/26/1997)
06/25/1997	23	DECLARATION of La Ray Williams by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel. (crb) (Entered: 06/26/1997)
06/25/1997	23	AFFIDAVIT of John Williams by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel. (crb) (Entered: 06/26/1997)
06/25/1997	23	DECLARATION of Geanie Moore by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel. (crb) (Entered: 06/26/1997)
06/25/1997	23	DECLARATION of Loretta Thompson by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel. (crb) (Entered: 06/26/1997)
06/30/1997	24	NOTICE of appearance of John J. Gallagher of Paul, Hastings and DESIGNATION and consent-to-act of Dinita L. James of Trenam, Kemker on behalf of Publix Super Market. (crb) (Entered: 07/01/1997)
07/03/1997	25	NOTICE of filing affidavits of Deric F. Tipton, Esq., Tiffany Capers and Anthony Kearney in support of motion to compel disclosure of electronic human resources data by Lemuel Middleton and class plaintiffs. Attachments. (crb) (Entered: 07/08/1997)
07/03/1997	25	AFFIDAVIT of Deric F. Tipton, Esq. by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel disclosure of electronic human resources data. (crb) (Entered: 07/08/1997)
07/03/1997	25	DECLARATION of Tiffany Capers by Lemuel Middleton and class members re: [23-1] motion to compel disclosure of electronic human resources data. (crb) (Entered: 07/08/1997)
07/03/1997	25	DECLARATION of Anthony Kearney by Lemuel Middleton and class plaintiffs re: [23-1] motion to compel disclosure of electronic human resources data. (crb) (Entered: 07/08/1997)
07/14/1997	26	MEMORANDUM by Publix Super Market in opposition to [23-1] motion to compel disclosure of electronic human resources data. Attachments. (crb) (Entered: 07/15/1997)
07/16/1997	27	NOTICE of filing declaration of Kelly Williams 28 by Publix Super Market. (crb) (Entered: 07/17/1997)
07/16/1997	28	DECLARATION of Kelly Williams by Publix Super Market re: [26-1] memorandum in opposition to plaintiffs' motion to compel. (crb) (Entered: 07/17/1997)
08/04/1997	29	SUPPLEMENTAL [23-1] motion (supplemental) to compel disclosure of electronic human resources data by Lemuel Middleton and class plaintiffs referred to Mag. Judge Thomas B. McCoun III. Attachment. (crb) (Entered: 08/05/1997)
08/05/1997	30	NOTICE of hearing: setting hearing for 2:00 p.m. on 8/21/97 re: [29-1] supplemental motion to compel disclosure of electronic human resources data and [23-1] motion to compel disclosure of electronic human resources data; scheduled for Mag. Judge Thomas B. McCoun III ctc (crb) (Entered: 08/06/1997)
08/08/1997	31	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to amend and modify [15-1] order of 05/08/97 governing class certification schedule (crb) (Entered: 08/11/1997)
08/13/1997	32	EMERGENCY MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to modify order 15 dated 05/08/97 governing class certification schedule (crb) (Entered: 08/13/1997)

08/14/1997	33	NOTICE of supplement to Local Rule 3.01(g) certification re: emergency motion to modify order of 05/08/97 and notice of error by Lemuel Middleton and class plaintiffs. (crb) (Entered: 08/14/1997)
08/15/1997	34	MOTION by Lemuel Middleton and class plaintiffs to compel responses to first request for production referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 08/15/1997)
08/15/1997	35	MOTION by Publix Super Market with memorandum in support to compel compliance with subpoena referred to Mag. Judge Thomas B. McCoun III. Exhibits attached. (gw) (Entered: 08/19/1997)
08/15/1997	36	MOTION by Publix Super Market with memorandum in support to compel to comply with discovery requests referred to Mag. Judge Thomas B. McCoun III. Appendix and exhibits attached. (gw) (Entered: 08/19/1997)
08/15/1997	37	RESPONSE by Publix Super Market to [29-1] supplemental motion (supplemental) to compel disclosure of electronic human resources data. Exhibit attached. (gw) (Entered: 08/19/1997)
08/15/1997	38	NOTICE of filing by Publix Super Market. Exhibit attached. (gw) (Entered: 08/19/1997)
08/20/1997	39	RESPONSE by Publix Super Market to [32-1] plaintiffs' motion to modify order 15 dated 05/08/97 governing class certification schedule and [31-1] motion to amend and modify [15-1] order of 05/08/97 governing class certification schedule. (crb) (Entered: 08/21/1997)
08/20/1997	40	NOTICE of filing original subpoena duces tecum directed to United Food and Commercial Workers by Publix Super Market. (crb) (Entered: 08/21/1997)
08/21/1997	41	NOTICE of filing declaration of David Kuncicky by Lemuel Middleton and class plaintiffs. (crb) (Entered: 08/22/1997)
08/21/1997	41	DECLARATION of David Kuncicky by Lemuel Middleton and class plaintiffs re: [23-1] plaintiffs motion to compel disclosure of electronic human resources data. Attachments. (crb) (Entered: 08/22/1997)
08/21/1997	42	MINUTE ENTRY: Hearing held on plaintiffs' motion to compel electronic data on 08/21/97 before Magistrate Judge Thomas McCoun. Court Reporter: Tape 104, 2627 - 7360 (crb) (Entered: 08/22/1997)
08/21/1997		Motion hearing held on 08/21/97 re: [23-1] plaintiffs' motion to compel disclosure of electronic human resources data (crb) (Entered: 08/22/1997)
08/22/1997	43	MEMORANDUM by Publix Super Market in opposition to [34-1] plaintiffs' motion to compel responses to first request for production. Attachments. 09/09/97 See corrected copy. (crb) Modified on 09/10/1997 (Entered: 08/25/1997)
08/25/1997	44	STIPULATION of dismissal with prejudice as to all claims of John Kee against Publix Super Market; each party to bear own costs. (crb) (Entered: 08/26/1997)
08/25/1997	45	STIPULATION of dismissal with prejudice of all claims of Laswanya Jackson against Publix Super Market; each party to bear own costs. (crb) (Entered: 08/26/1997)
08/27/1997	46	EMERGENCY MOTION by Publix Super Market with memorandum in support for protective order regarding plaintiff's notice of deposition set for 09/03/97 referred to Mag. Judge Thomas B. McCoun III (crb) (Entered: 08/28/1997)
08/27/1997	47	ORDER that all deadlines set by order of 05/09/97 shall be extended by 30 days; granting [20-1] parties' joint motion for leave to complete expert discovery on class certification after cutoff; denying [31-1] plaintiff's motion to modify order 15 dated 05/08/97 governing class certification schedule and [32-1] emergency motion concerning scheduling; reset filing deadline for motion for class certification for 10/30/97 ; reset discovery on class certification due for 10/15/97 ; reset preliminary pretrial conference for 9:00 a.m. on 12/12/97; scheduled for Judge Henry L. Adams Jr. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 08/28/1997)

08/27/1997		FAXED order 47 to counsel of record. (crb) (Entered: 08/28/1997)
08/27/1997	48	NOTICE of filing expert report in declaration of David W. Rasmussen 49 by Lemuel Middleton and class plaintiffs. (crb) (Entered: 08/28/1997)
08/27/1997	48	DECLARATION of David W. Rasmussen, expert's report, by Lemuel Middleton and class plaintiffs. (crb) Modified on 09/12/1997 (Entered: 08/28/1997)
08/28/1997	49	RESPONSE by Lemuel Middleton and class plaintiffs to [36-1] defendant's motion to compel. Attachments. (crb) Modified on 09/12/1997 (Entered: 08/28/1997)
08/28/1997	50	MOTION by Lemuel Middleton and class plaintiffs to file response 29 to motion to compel out of time referred to Mag. Judge Thomas B. McCoun III. (crb) Modified on 09/12/1997 (Entered: 08/28/1997)
09/02/1997	51	RESPONSE by United Food Union to [35-1] defendant's motion to compel compliance with subpoena. Attachments. (crb) Modified on 09/12/1997 (Entered: 09/03/1997)
09/02/1997	52	APPLICATION of Non-Resident Counsel, Jeffrey R. Freund, and Designation of Local Counsel, Howard S. Susskind, on behalf of United Food Union (crb) Modified on 09/12/1997 (Entered: 09/03/1997)
09/03/1997	53	ORDER denying [46-1] defendant's emergency motion for protective order. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) Modified on 09/12/1997 (Entered: 09/04/1997)
09/03/1997		ENDORSED ORDER granting [50-1] plaintiffs' motion to file response 49 to motion to compel out of time. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) Modified on 09/12/1997 (Entered: 09/04/1997)
09/04/1997	54	RESPONSE by Lemuel Middleton and class plaintiffs to [46-1] motion for protective order regarding plaintiff's notice of deposition set for 09/03/97 (crb) Modified on 09/12/1997 (Entered: 09/04/1997)
09/09/1997	55	NOTICE of filing corrected copy of memorandum in opposition to motion to compel responses to request for production 43 by Publix Super Market. Attachments. (crb) Modified on 09/12/1997 (Entered: 09/10/1997)
09/15/1997	56	ORDER granting in part, denying in part [35-1] defendant's motion to compel compliance with subpoena. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) Modified on 09/17/1997 (Entered: 09/16/1997)
09/15/1997	57	ORDER granting in part, denying in part [36-1] defendant's motion to compel to comply with discovery requests. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) Modified on 09/17/1997 (Entered: 09/16/1997)
09/15/1997	58	ORDER granting [23-1] plaintiffs' motion to compel disclosure of electronic human resources data; defendant shall comply accordingly; granting [29-1] supplemental motion to compel disclosure of electronic human resources data; granting in part, denying in part [34-1] plaintiffs' motion to compel responses to first request for production; defendant shall produce as directed within 25 days. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) Modified on 09/17/1997 (Entered: 09/16/1997)
09/15/1997	59	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to compel compliance with notice of deposition of a witness about the Jacksonville Warehouse and Distribution Center operations referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) Modified on 09/17/1997 (Entered: 09/16/1997)
09/18/1997	60	CERTIFICATE AFFIDAVIT report of Kent Spriggs, Esq. on behalf of Lemuel Middleton and class plaintiffs re: [59-1] motion to compel compliance with notice of deposition of a witness about the Jacksonville Warehouse and Distribution Center operations; parties are unable to agree on a resolution of this motion. (crb) (Entered: 09/18/1997)
09/22/1997	61	RESPONSE by Publix Super Market to [59-1] motion to compel compliance with notice of deposition of a witness about the Jacksonville Warehouse and

		Distribution Center operations. Attachments. (crb) (Entered: 09/24/1997)
09/24/1997		CORRESPONDENCE from counsel requesting return of Dr. Rasmussen's report. (rjc) (Entered: 09/24/1997)
09/26/1997	62	NOTICE that the report of plaintiffs' expert is complete Lemuel Middleton and class plaintiffs. (crb) (Entered: 09/29/1997)
10/02/1997	63	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to quash notice of deposition of Richard Johnson for 10/14/97 and subpoena referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 10/02/1997)
10/06/1997	64	EMERGENCY MOTION by Lemuel Middleton and class plaintiffs with memorandum in support for protective order regarding the deposition of Dr. David Kuncicky, expert witness, set for 10/14/97 referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 10/06/1997)
10/06/1997	65	NOTICE of filing Rule 3.01(g) certificate re: emergency motion for protective order 64 by Lemuel Middleton and class plaintiffs. (crb) (Entered: 10/06/1997)
10/07/1997	66	EXCERPT of TRANSCRIPT OF PROCEEDINGS on pending motions heard on 09/10/97 before Magistrate Judge Thomas B. McCoun III. (crb) (Entered: 10/07/1997)
10/07/1997	67	RESPONSE by Publix Super Market to [64-1] plaintiffs' emergency motion for protective order regarding the deposition of expert Dr. David Kuncicky. (crb) (Entered: 10/07/1997)
10/08/1997	68	MOTION by Lemuel Middleton and class plaintiffs for leave to file memorandum in support of class certification in excess of page limit ; defendant indicates no objection. (crb) (Entered: 10/08/1997)
10/08/1997		ENDORSED ORDER granting [64-1] plaintiffs' emergency motion for protective order regarding the deposition of Dr. David Kuncicky, expert witness, set for 10/14/97. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 10/09/1997)
10/10/1997	69	SUPPLEMENT to [63-1] plaintiffs' motion to quash the deposition of Richard Johnson supplement to motion to quash by Lemuel Middleton and class plaintiffs referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 10/10/1997)
10/10/1997	70	AMENDED filing of rule 3.01(g) certificate regarding supplement to motion to quash 69 by Lemuel Middleton and class plaintiffs. (crb) (Entered: 10/10/1997)
10/10/1997	71	RESPONSE by Publix Super Market to [63-1] emergency motion to quash notice of deposition of Richard Johnson for 10/14/97 and subpoena. Exhibits attached. (gw) (Entered: 10/10/1997)
10/14/1997	72	EMERGENCY MOTION by Publix Super Market with memorandum in support for leave to continue attempts at service of subpoena duces tecum for deposition on Steve Marrs referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 10/14/1997)
10/14/1997	73	ORDER granting in part, denying in part [63-1] plaintiffs' emergency motion to quash notice of deposition of Richard Johnson for 10/14/97 and subpoena, as supplemented [69-1]; the deposition of Mr. Johnson may proceed. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 10/15/1997)
10/17/1997	74	EMERGENCY JOINT MOTION by Lemuel Middleton and class plaintiff and defendant Publix Super Market to modify the case management order (crb) (Entered: 10/21/1997)
10/20/1997		SEALED DOCUMENT. S- 1 (crb) (Entered: 10/21/1997)
10/20/1997	75	ORDER granting [68-1] plaintiff's motion for leave to file memorandum in support of class certification in excess of page limit. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 10/21/1997)

10/23/1997	76	EMERGENCY MOTION by Publix Super Market with memorandum in support to compel Richard Johnson to answer deposition questions and to compel production of subpoenaed documents referred to Mag. Judge Thomas B. McCoun III. Attachments. (crb) (Entered: 10/24/1997)
10/23/1997	77	ORDER granting [74-1] parties' joint motion to modify the case management order. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 10/24/1997)
10/23/1997		FAXED order 77 to Dinita L. James and Kent Spriggs as per Law Clerk (crb) (Entered: 10/24/1997)
10/27/1997	78	STIPULATION of dismissal with prejudice of claims of plaintiff Madeline Riley by Lemuel Middleton and class plaintiffs and defendant Publix Super Market. Each side to bear its own costs. (crb) (Entered: 10/29/1997)
10/29/1997	79	NOTICE of hearing: motions hearing set for 10:00 11/7/97 for [76-1] motion to compel Richard Johnson to answer deposition questions and [76-2] motion to compel production of subpoenaed documents along with notice of filing privilege log and documents under seal; Scheduled for Mag. Judge Thomas B. McCoun III ctc (crb) (Entered: 10/30/1997)
10/30/1997	80	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Sherria Campbell, Charles Jackson for class certification (crb) (Entered: 10/30/1997)
10/30/1997	81	MEMORANDUM of points and authorities by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Sherria Campbell, Charles Jackson in support of [80-1] motion for class certification. (crb) (Entered: 10/30/1997)
10/30/1997	82	REQUEST for judicial notice by Lemuel Middleton and class plaintiffs. (crb) (Entered: 10/30/1997)
10/30/1997	83	NOTICE of filing evidentiary materials in support of motion for class certification by Lemuel Middleton and class plaintiffs. Volumes I, II and III stored in expandable folders. (crb) (Entered: 10/30/1997)
10/30/1997	84	DEPOSITION of Michael M. Cate dated 09/04/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	85	DEPOSITION of Jeffrey Dean Day dated 09/05/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	86	DEPOSITION of Brenda Foxenberger dated 09/11/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript, vol I, filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	87	DEPOSITION of Brenda Foxenberger dated 09/11/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript, vol. II, filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	88	DEPOSITION of William H. Noah dated 09/15/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript, vol. I, filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	89	DEPOSITION of William H. Noah dated 09/15/97 by Lemuel Middleton re: [80-1] motion for class certification. Transcript, vol. II, filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	90	DEPOSITION of James Stephen Jaskiewicz dated 09/17/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	91	DEPOSITION of Donald H. Helms dated 09/22/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb)

		(Entered: 10/30/1997)
10/30/1997	92	DEPOSITION of Emory W. Morris dated 09/24/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	93	DEPOSITION of Emory W. Morris dated 09/24/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	94	DEPOSITION of Kyle Davis dated 09/30/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	95	DEPOSITION of Michael Eugene Lester dated 10/02/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	96	DEPOSITION of Richard Schuler dated 10/03/97 re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	97	DEPOSITION of Wallace Womble dated 10/08/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	98	DEPOSITION of Kelly Williams dated 10/09/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
10/30/1997	99	DEPOSITION of Joanne Adams dated 10/10/97 by Lemuel Middleton and class plaintiffs re: [80-1] motion for class certification. Transcript filed separately. (crb) (Entered: 10/30/1997)
11/06/1997		Motion(s) referred: [72-1] motion for leave to continue attempts at service of subpoena duces tecum for deposition on Steve Marrs referred to Judge Henry L. Adams Jr. (crb) (Entered: 11/06/1997)
11/07/1997	100	MEMORANDUM by Lemuel Middleton and class members in opposition to [76-1] motion to compel Richard Johnson to answer deposition questions, [76-2] motion to compel production of subpoenaed documents. (crb) (Entered: 11/07/1997)
11/07/1997	101	MOTION by Publix Super Market for summary judgment on named-plaintiff Reginald Lewis' claims (jlh) (Entered: 11/10/1997)
11/07/1997	102	MEMORANDUM by Publix Super Market in support of [101-1] motion for summary judgment on named-plaintiff Reginald Lewis' claims (jlh) (Entered: 11/10/1997)
11/12/1997	103	ORDER that the claims of Madeline Riley are dismissed with prejudice; each party shall bear its own costs. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 11/12/1997)
11/12/1997	105	ORDER granting in part [76-1] Publix's motion to compel Richard Johnson to answer deposition questions and [76-2] motion to compel production of subpoenaed documents. Mr. Johnson shall fully cooperate in regard to the new deposition. An in camera review of documents on Richard Johnson's privilege log under seal [S-1] has been conducted. Document 1, only, shall be provided to Publix. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 11/13/1997)
11/13/1997	104	EMERGENCY MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to enforce the case management order (crb) (Entered: 11/13/1997)
11/13/1997	106	ORDER referring motion for report and recommendations; [80-1] plaintiff's motion for class certification referred to Mag. Judge Thomas B. McCoun III. The hearing set for class certification and preliminary pretrial conference for 12/12/97 are canceled. (signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 11/13/1997)

		11/13/1997)
11/13/1997	107	ORDER granting [72-1] defendant's emergency motion for leave to continue attempts at service of subpoena duces tecum for deposition on Steve Marrs. (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 11/13/1997)
11/13/1997	108	TRANSCRIPT of hearing on pending motions heard on 09/10/97 before Magistrate Judge Thomas B. McCoun, III. [Tape-recorded] (crb) (Entered: 11/14/1997)
11/14/1997	109	NOTICE of filing depositions of Sherria Campbell, Sharon Flowers, Joya Fulton, Gaston Hazlewood, Charles Jackson, Willie Jones, Cynthia Jones-McCall, David Kee, Victor Kee, Reginald Lewis, Andrew Lovett, Lemuel Middleton and Byron Williams as requested in Tab 1 of plaintiffs' appendix to motion for class certification by Publix Super Market. (crb) (Entered: 11/17/1997)
11/14/1997	110	NOTICE of filing depositions of Connie Hazlewood, Ira McCloud, Patricia Peterson, Sonya Shelton, Reginald Snelling, Herbert Thompson and Florence Toalston as requested in Tab 3 of plaintiffs' appendix to motion for class certification by Publix Super Market. (crb) (Entered: 11/17/1997)
11/14/1997	111	DEPOSITION of Gaston Hazlewood dated 06/17/97, Vol. 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	112	DEPOSITION of Gaston Hazlewood dated 06/18/97, Vol 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	113	DEPOSITION of Lemuel Donnell Middleton dated 06/19/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	114	DEPOSITION of Sharon Flowers dated 07/08/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	115	DEPOSITION of Byron Williams dated 07/10/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	116	DEPOSITION of Joya Fulton dated 07/15/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	117	DEPOSITION of Sherria Campbell dated 07/17/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	118	DEPOSITION of David Bernard Kee dated 07/17/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	119	DEPOSITION of Reginald Lewis dated 07/17/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	120	DEPOSITION of David Bernard Kee dated 07/18/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	121	DEPOSITION of Reginald Lewis dated 07/18/97, Vol 2., by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	122	DEPOSITION of Charles Jackson dated 07/22/97, 07/23/97 and 08/08/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	123	DEPOSITION of William James Jones dated 07/22/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	124	DEPOSITION of Willie James Jones dated 07/23/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	125	DEPOSITION of Victor Earl Kee, Sr. dated 07/31/97, Vol. 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	126	DEPOSITION of Victor Earl Kee, Sr. dated 08/01/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	127	DEPOSITION of Joya Fulton dated 08/13/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)

11/14/1997	128	DEPOSITION of Sherria Campbell dated 08/14/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	129	DEPOSITION of Sharon Flowers dated 08/26/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	130	DEPOSITION of Andrew Lovett, Jr. dated 08/28/97, Vol. 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	131	DEPOSITION of Andrew Lovett, Jr. dated 08/29/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	132	DEPOSITION of Cynthia Jones-McCall dated 09/04/97, Vol. 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	133	DEPOSITION of Cynthia Jones-McCall dated 09/05/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	134	DEPOSITION of Connie Sue Hazlewood dated 09/11/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	135	DEPOSITION of Reginald Snelling dated 09/12/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	136	DEPOSITION of Della Florence Toalston dated 09/15/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	137	DEPOSITION of Herbert Thompson dated 07/17/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	138	DEPOSITION of Patricia Peterson dated 09/19/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	139	DEPOSITION of Sonya Shelton dated 09/22/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	140	DEPOSITION of Ira Joe McCloud dated 10/14/97, Vol. 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/14/1997	141	DEPOSITION of Ira Joe McCloud dated 10/17/97, Vol. 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/17/1997)
11/19/1997	142	TRANSCRIPT OF PROCEEDINGS of hearing on defendants' emergency motion to compel Richard Johnson to answer deposition questions on 11/07/97 before Judge Thomas B. McCoun. (crb) (Entered: 11/20/1997)
11/19/1997	143	NOTICE of filing deposition of Richard Johnson by Publix Super Market. (crb) (Entered: 11/20/1997)
11/19/1997	144	DEPOSITION of Richard Johnson dated 10/14/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/20/1997)
11/19/1997	145	NOTICE of filing depositions of Dr. David W. Rasmussen and Dr. David Kunicicky by Publix Super Market. (crb) (Entered: 11/20/1997)
11/19/1997	146	DEPOSITION of Dr. David W. Rasmussen dated 10/13/97, Vol 1, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/20/1997)
11/19/1997	147	DEPOSITION of Dr. David W. Rasmussen dated 11/10/97, Vol 2, by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/20/1997)
11/19/1997	148	DEPOSITION of Dr. David Kunicicky dated 10/20/97 by Publix Super Market. Transcript filed separately. (crb) (Entered: 11/20/1997)
11/25/1997	149	MOTION by Publix Super Market with memorandum in support to strike or exclude the declarations of Dr. David Rasmussen [83, tab 6] of [83-1] notice ; attachments. (crb) (Entered: 11/26/1997)
11/25/1997	150	MOTION by Publix Super Market with memorandum in support to strike declarations of Otis Hopkins, Denise Jackson, Anna Washington and Charmaine Washington re: [83-1] notice ; attachments. (crb) (Entered: 11/26/1997)

11/25/1997	151	MOTION by Publix Super Market for summary judgment on named plaintiff Lemuel Middleton's claims (crb) (Entered: 11/26/1997)
11/25/1997	152	MEMORANDUM by Publix Super Market in support of [151-1] motion for summary judgment on named plaintiff Lemuel Middleton's claims. Attachments. (crb) (Entered: 11/26/1997)
11/25/1997	153	RESPONSE by Publix Super Market in opposition to [82-1] plaintiff's request for judicial notice. (crb) (Entered: 11/26/1997)
11/25/1997	154	UNOPPOSED MOTION by Publix Super Market with memorandum in support for leave to supplement class certification record with transcript of continued deposition of Richard Johnson ; attachments. (crb) (Entered: 11/26/1997)
11/25/1997	155	RESPONSE by Publix Super Market in opposition to [80-1] motion for class certification. (crb) (Entered: 11/26/1997)
11/25/1997	156	APPENDIX in support of response in opposition to plaintiffs' motion for class certification, vol 1, by Publix Super Market. Filed in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	157	APPENDIX in support of response in opposition to plaintiffs' motion for class certification, vol. 11, by Publix Super Market. Stored in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	158	DECLARATIONS and exhibits in support of response in opposition to plaintiffs' motion for class certification, vol 1, by Publix Super Market. Stored in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	159	DECLARATIONS and exhibits in support of response in opposition to plaintiffs' motion for class certification, vol. 11, by Publix Super Market. Stored in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	160	DECLARATIONS and exhibits in support of response in opposition to plaintiffs' motion for class certification, vol. 111, by Publix Super Market. Stored in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	161	INDEX of cases not published in official reporters in support of response in opposition to plaintiffs' motion for class certification by Publix Super Market. Stored in expandable folder. (crb) (Entered: 11/26/1997)
11/25/1997	162	NOTICE of filing Report on Class Certification Issues and Statistics by Joan Gustafson Haworth, Ph.D. and Sharon Kelly, Ph.D. of Economic Research Services, Inc. and two volumes of appendix in support of response in opposition to plaintiffs' motion for class certification by Publix Super Market. Report and appendix stored in expandable folders. (crb) (Entered: 11/26/1997)
11/26/1997	163	FAXED ORDER [104-1] plaintiff's emergency motion to enforce the case management order; merits discovery shall commence on 11/28/97; case management report related to merits discovery is due 12/09/97; plaintiff has 10 days after the deadline for filing dispositive motions to respond to defendant's motion for summary judgment 102 . (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 11/26/1997)
11/26/1997		Deputy Clerk faxed order 163 to Attorney Spriggs, Danita James' office pick up a copy. (crb) (Entered: 11/26/1997)
12/02/1997	164	NOTICE of hearing: setting hearing for 10:00 a.m. on 1/16/98 for [80-1] motion for class certification; Scheduled for Mag. Judge Thomas B. McCoun III ctc (crb) (Entered: 12/04/1997)
12/03/1997		RECEIVED original order 163 ; replaced the faxed copy entered on 11/26/97. (crb) (Entered: 12/03/1997)
12/04/1997	165	REPLY by Lemuel Middleton and plaintiffs to response in opposition to [80-1] motion for class certification. Attachments. (crb) (Entered: 12/05/1997)
12/05/1997	166	ORDER denying as moot [59-1] plaintiffs' motion to compel compliance with notice of deposition. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 12/08/1997)

12/05/1997	167	NOTICE of Hearing: Motion hearing set for 1:30 1/23/98 for [80-1] motion for class certification; Scheduled for Mag. Judge Thomas B. McCoun III etc (crb) (Entered: 12/08/1997)
12/05/1997	168	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to strike defendant's unauthorized expert "sur-reply" expert report of Dr. Sharon Kelly contained in appendix, vol. I, ERS Report re: declaration of Dr. David Rasmussen dated 11/19/97 (crb) (Entered: 12/08/1997)
12/05/1997	169	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to strike appendices in excess re: [155-1] defendant's memorandum in opposition to motion for class certification referred to Mag. Judge Thomas B. McCoun III (crb) (Entered: 12/08/1997)
12/08/1997	170	RESPONSE by Lemuel Middleton and class plaintiffs to [150-1] motion to strike declarations. (crb) (Entered: 12/10/1997)
12/08/1997	171	RESPONSE by Lemuel Middleton and class plaintiffs to [149-1] motion to strike or exclude the declarations of Dr. David Rasmussen. (crb) (Entered: 12/10/1997)
12/09/1997	172	CASE MANAGEMENT REPORT regarding merits discovery. (crb) (Entered: 12/10/1997)
12/12/1997	173	ORDER that no action will be taken on plaintiffs' letter request to return a report from Dr. David Rasmussen. (Signed by Judge Henry L. Adams Jr.) etc (crb) (Entered: 12/12/1997)
12/12/1997		A copy of Kent Spriggs, Esq. letter dated 09/22/97 was mailed with order 173 . (crb) (Entered: 12/12/1997)
12/15/1997	174	NOTICE of filing supplemental authority in support of response in opposition to motion for class certification 155 by Publix Super Market. Attachments. (crb) (Entered: 12/16/1997)
12/19/1997	175	RESPONSE by Publix Super Market to [168-1] motion to strike defendant's unauthorized expert "sur-reply" expert report of Dr. Sharon Kelly. (crb) (Entered: 12/22/1997)
12/19/1997	176	RESPONSE by Publix Super Market to [169-1] motion to strike appendices in excess re: [155-1] defendant's memorandum in opposition to motion for class certification. (crb) (Entered: 12/22/1997)
12/19/1997	177	MOTION by Publix Super Market with memorandum in support concerning unresolved merits discovery matters from the parties' case management report (crb) (Entered: 12/22/1997)
01/05/1998	239	RESPONSE memorandum consenting conditioned upon award of taxable costs and attorneys' fees by Publix Super Market re: [235-1] plaintiffs' motion to dismiss with prejudice the claims of plaintiffs David Kee, Sherria Campbell, Charles Jackson, Byron Williams (crb) (Entered: 10/06/1998)
01/14/1998	178	NOTICE of imminent change of factual circumstances pertinent to plaintiffs' motions in limine 16 and described in response 19 by Publix Super Market; attachments. Re: Progress of Publix and EEOC 01/24/97 agreement resolving charges of race discrimination raised in EEOC Commissioner's Charge No. 150-92-1508, the Kemp Settlement. (crb) (Entered: 01/15/1998)
01/21/1998	179	TRANSCRIPT OF PROCEEDINGS on Motion hearing for date of August 21, 1997 before Judge Thomas B. McCoun. Transcript filed separately. (gw) (Entered: 01/22/1998)
01/21/1998	180	MOTION by Publix Super Market with memorandum in support for order to show cause (re: deposition) referred to Mag. Judge Thomas B. McCoun III. Exhibits attached. (gw) (Entered: 01/22/1998)
01/22/1998		ENDORSED ORDER granting [154-1] motion for leave to supplement class certification record with transcript of continued deposition of Richard Johnson (Signed by Mag. Judge Thomas B. McCoun III) etc (jlh) (Entered: 01/23/1998)

01/22/1998	181	NOTICE of filing deposition transcript by Publix Super Market (jlh) (Entered: 01/23/1998)
01/22/1998	182	DEPOSITION of Richard E. Johnson Volume 2 by Publix Super Market re: [155-1] opposition response Transcript filed separately. (jlh) (Entered: 01/23/1998)
01/26/1998	183	MINUTE ENTRY: pending motions held on 1/23/98 before Judge Thomas B. McCoun Court Reporter: Carol Jacobs (jlh) (Entered: 01/27/1998)
01/28/1998	184	MOTION by Lemuel Middleton, Reginald Lewis, John Kee, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Laswanya Jackson, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Madeline Riley, Sherria Campbell, Charles Jackson with memorandum in support for leave to file declarations in support of class certification Proposed declarations attached. (gw) (Entered: 01/29/1998)
01/29/1998	185	EMERGENCY MOTION by Lemuel Middleton, Reginald Lewis, John Kee, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Laswanya Jackson, David Kee, Byron Williams, Victor Kee, Andrew Lovett, Madeline Riley, Sherria Campbell, Charles Jackson with memorandum in support for adjudication of motion in limine (gw) (Entered: 01/29/1998)
02/02/1998	186	RESPONSE by Publix Super Market in opposition to [184-1] motion for leave to file declarations in support of class certification. (crb) (Entered: 02/03/1998)
02/02/1998	187	MOTION request by Publix Super Market to designate portions of Shores, 95-1162-Civ-T-25E, and Middleton records for consideration by the court re: hearing held on 01/23/98; portions indicated as Shores [111, 112, 82]; Middleton [98, 157] (crb) (Entered: 02/03/1998)
02/04/1998	188	RESPONSE by Steven Marrs, special appearance of non-party movant, in opposition to [180-1] Publix's motion for order to show cause re: deposition of Steven Marrs. (crb) (Entered: 02/05/1998)
02/05/1998	189	MOTION by Lemuel Middleton and plaintiffs with memorandum in support for additional briefing ; supplemental brief in response to court's concerns about adequacy of representation attached. (crb) (Entered: 02/05/1998)
02/06/1998	190	NOTICE of filing additional supplemental authority in support of response in opposition to motion for class certification 155 by Publix Super Market. Attachments. (crb) (Entered: 02/09/1998)
02/09/1998	191	ORDER denying [149-1] defendant's motion to strike; denying [150-1] defendant's motion to strike; defendant shall file any counter-declarations with respect to the four witness within 10 days; declarations due 2/23/98 ; denying [168-1] plaintiffs' motion to strike defendant's unauthorized expert "sur-reply"; re: [169-1] plaintiffs' motion to strike appendices in excess is granted to the extent that additional arguments are stricken; denied as to remaining portions; denying [184-1] plaintiffs' motion for leave to file declarations; declarations shall be returned. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 02/10/1998)
02/09/1998	192	AFFIDAVIT REPORT on conference with opposing counsel who indicate they will oppose [189-1] motion for additional briefing by Kent Spriggs on behalf of Lemuel Middleton and plaintiffs. (crb) (Entered: 02/10/1998)
02/10/1998		RETURNED declarations of Victor Kee and Amarilys Dominguez as attached to 184 to plaintiffs per order 191 . (crb) (Entered: 02/10/1998)
02/13/1998	193	RESPONSE by Publix Super Market to [189-1] motion for additional briefing. (crb) (Entered: 02/17/1998)
02/17/1998	194	NOTICE of hearing: set for 2:00 p.m. on 3/5/98 for [180-1] motion for order to show cause re: deposition; scheduled for Mag. Judge Thomas B. McCoun III ctc (crb) (Entered: 02/18/1998)
02/19/1998	195	NOTICE of filing additional supplemental authority in support of response in opposition to plaintiffs' motion for class certification 155 by Publix Super Market.

		Attachments. (crb) (Entered: 02/23/1998)
02/26/1998	196	NOTICE of filing counter-declarations of David Wright, Greg Heming and Steve Fisher by Publix Super Market. (crb) (Entered: 02/27/1998)
03/05/1998	197	CLERK'S MINUTE ENTRY: motion hearing held on 3/5/98 before Judge Thomas B. McCoun, III (wlb) (Entered: 03/06/1998)
03/10/1998	198	ORDER that pending Mr. Marrs's participation in the depositions, the court defers [180-1] defendant's motion for order to show cause. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 03/11/1998)
03/10/1998		SEALED DOCUMENT. S- 2 (crb) (Entered: 03/11/1998)
03/12/1998	199	TRANSCRIPT of hearing on class certification motion held on 01/23/98 before Judge Thomas B. McCoun, III. (crb) (Entered: 03/12/1998)
03/12/1998	200	TRANSCRIPT of defendant's motion for an order to show cause hearing held on 03/05/98 before Judge Thomas B. McCoun. (crb) (Entered: 03/17/1998)
03/13/1998	201	ORDER denying [16-1] plaintiffs' motion in limine re: releases by defendant to potential class members, denying [16-2] motion in limine re: exclusion of class "B" sworn declaration, denying [16-3] motion in limine re: notice to potential class members denying [185-1] plaintiffs' emergency motion for adjudication of motion in limine (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 03/17/1998)
03/23/1998	202	MOTION by Steven Marrs to preserve the confidentiality of deposition until 3/29/98 ; motion to seal forthcoming, referred to Mag. Judge Thomas B. McCoun III (sak) (Entered: 03/24/1998)
03/27/1998	203	MOTION by Steven Marrs, non party witness, to accept Publix's anticipated filing under seal referred to Mag. Judge Thomas B. McCoun III (crb) (Entered: 03/30/1998)
03/27/1998	203	RENEWED RESPONSE by Steven Marrs, non-party witness, in opposition to [180-1] Publix's motion for order to show cause why he should not be held in contempt re: deposition. (crb) (Entered: 03/30/1998)
03/30/1998	204	NOTICE of in camera submission to Magistrate Judge McCoun in connection with motion to accept Publix's anticipated submission of deposition under seal by Steven Marrs, non-party witness; no attachments. (crb) (Entered: 03/30/1998)
03/30/1998	205	RESPONSE by Publix Super Market to [202-1] non-party witness, Steven Marrs', motion to preserve the confidentiality of deposition until 3/29/98. Attachments. (crb) (Entered: 04/01/1998)
04/03/1998	206	RESPONSE by Publix Super Market in opposition to [203-1] Steven Marrs' motion to accept Publix's anticipated filing under seal. (crb) (Entered: 04/06/1998)
04/07/1998	207	ORDER granting in part, denying in part [203-1] non-party witness Steven Marrs's motion to accept Publix's anticipated filing under seal; the confidentiality of portions of Mr. Marrs's deposition relating to his current medical condition is protected. The in-camera materials submitted by Steven Marrs shall be returned. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 04/08/1998)
04/08/1998		RETURNED in-camera confidential materials to non-party Steven Marrs as directed in order 207 . (crb) (Entered: 04/08/1998)
04/09/1998	208	NOTICE of filing additional supplemental authority re: response in opposition to motion for class certification 155 by Publix Super Market. Attachments. (crb) (Entered: 04/10/1998)
04/09/1998	209	NOTICE of filing deposition of Steven Dewayne Marrs, vols. 1,2,&3 by Publix Super Market; depositions filed in expandable folders; by order of 04/07/98 207 portions of deposition are SEALED. (crb) (Entered: 04/10/1998)
04/09/1998		SEALED DOCUMENT. S- 3 (crb) (Entered: 04/10/1998)
04/09/1998	210	DEPOSITION of Steven Dewayne Marrs, vol. 1, dated 03/17/98, by Publix Super Market. Transcript filed separately. (crb) (Entered: 04/10/1998)

04/09/1998	211	DEPOSITION of Steven Dewayne Marrs, vol. 2, dated 03/18/98, by Publix Super Market. Transcript filed separately. (crb) (Entered: 04/10/1998)
04/09/1998	212	DEPOSITION of Steven Dewayne Marrs, vol. 3, dated 3/19/98, by Publix Super Market. Transcript filed separately. (crb) (Entered: 04/10/1998)
04/09/1998	213	REPORT on deposition of Steven Dewayne Marrs by Publix Super Market; exhibits attached. (crb) (Entered: 04/10/1998)
04/10/1998	214	MOTION by Steven Marrs to strike [205-1] motion response to motion to preserve the confidentiality of deposition testimony , to strike [206-1] opposition response to motion to accept Publix's anticipated filing under seal , for sanctions (crb) (Entered: 04/10/1998)
04/14/1998	215	EXHIBITS submitted to the court during hearing held on 01/23/98 before Magistrate Judge Thomas McCoun on motion for class certification by Publix Super Market. (crb) (Entered: 04/14/1998)
04/14/1998		ENDORSED ORDER granting [187-1] motion to designate portions of Shores, 95-1162-Civ-T-25E, and Middleton records for consideration by the court re: hearing held on 01/23/98; portions indicated as Shores [111, 112, 82]; Middleton [98, 157] (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 04/15/1998)
04/14/1998	216	ORDER denying [180-1] defendant's motion for order to show cause; denying as moot [214-1] Steven Marrs' motion to strike; denying as moot [214-2] motion to strike; denying as moot [214-3] motion for sanctions; denying [189-1] plaintiff's motion for additional briefing. The clerk is directed to return brief. (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 04/15/1998)
04/14/1998	217	MOTION by Steven Marrs, non-party witness, for reconsideration of [207-1] order of 04/07/98 referred to Mag. Judge Thomas B. McCoun III (crb) (Entered: 04/15/1998)
04/14/1998	218	REPLY memorandum by Steven Marrs to response to [203-1] motion to accept Publix's anticipated filing under seal (crb) (Entered: 04/15/1998)
04/14/1998	219	CERTIFICATE affidavit of compliance with Local Rule 3.01(g), good faith attempt to resolve issues, of Paul M. Zimmerman, Esq. on behalf of Steven Marrs, non-party witness, re: [214-1] motion to strike, [214-2] motion to strike, [214-3] motion for sanctions. (crb) (Entered: 04/15/1998)
04/15/1998		RETURNED plaintiffs' motion for additional briefing 189 as directed in order 216 . (crb) (Entered: 04/15/1998)
04/29/1998	220	STATUS REPORT on depositions of Heather Lindsay and Steve Marrs by Lemuel Middleton and class plaintiffs. (crb) (Entered: 04/29/1998)
04/29/1998	221	NOTICE of filing deposition of Heather Lindsay by Lemuel Middleton and class plaintiffs. (crb) (Entered: 04/29/1998)
04/29/1998	222	DEPOSITION of Heather Lindsay dated 02/11/98 by Lemuel Middleton and class plaintiffs. (crb) (Entered: 04/29/1998)
05/01/1998	223	RESPONSE by Publix Super Market to [220-1] status report. (crb) (Entered: 05/04/1998)
05/20/1998	224	NOTICE of filing additional supplemental authority in support of response in opposition to plaintiffs' motion for class certification 155 by Publix Super Market; attachments. (crb) (Entered: 05/21/1998)
06/16/1998	225	REPORT AND RECOMMENDATIONS regarding granting [80-1] plaintiffs' motion for class certification to the extent that the court certify the subclass as described; plaintiffs, Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, and Joya Fulton should be appointed as plaintiffs' class representatives. Leave should be granted for intervening plaintiffs, at least on the hiring claims and Kent Spriggs and the Spriggs Law Firm should be appointed as plaintiffs' class counsel; motion no longer referred; objections to R and R due by 6/30/98. (Signed by Magistrate Judge

		Thomas McCoun) ctc (crb) Modified on 06/17/1998 (Entered: 06/16/1998)
06/30/1998	226	OBJECTION by Lemuel Middleton and plaintiffs to [225-1] report and recommendation on class certification. (crb) (Entered: 07/01/1998)
06/30/1998	227	OBJECTION by Publix Super Market to [225-1] report and recommendations on plaintiffs' motion for class certification. Attachments. (crb) (Entered: 07/01/1998)
06/30/1998	228	NOTICE of filing declaration of Joan G. Haworth, Ph.D. and Sharon Kelly, Ph.D. by Publix Super Market. (crb) (Entered: 07/01/1998)
06/30/1998	228	SUPPLEMENTAL DECLARATION of Joan G. Haworth, Ph.D. and Sharon Kelly, Ph.D. of Economic Research Services, Inc. by Publix Super Market re: [162-1] Report on Class Certification Issues and Statistics. (crb) (Entered: 07/01/1998)
07/13/1998	229	JOINT MOTION by Lemuel Middleton and class plaintiffs and Publix Super Market to extend time to each other's objections to report and recommendation; plaintiffs to 07/20/98; defendant to 07/22/98 (crb) (Entered: 07/14/1998)
07/16/1998	230	ORDER granting [229-1] joint motion to extend time to respond to report and recommendation; plaintiff's response is due 07/20/98; defendant's response is due 07/22/98, Objections reset to 7/20/98 for [225-1] report and recommendations (Signed by Judge Henry L. Adams Jr.) ctc (gw) (Entered: 07/17/1998)
07/20/1998	231	RESPONSE to defendant's objections to report and recommendation on motion for class certification 227 by Lemuel Middleton and class plaintiffs. Attachments. (crb) (Entered: 07/20/1998)
07/22/1998	232	RESPONSE to plaintiffs' objections 231 to Magistrate Judges' report and recommendation on class certification 226 by Publix Super Market. (crb) (Entered: 08/11/1998)
07/29/1998	233	MOTION by Publix Super Market with memorandum in support to strike new report from Dr. David Rasmussen, expert statistician, re: [231-1] response to defendant's objections to report and recommendations on motion for class certification 231 (crb) (Entered: 07/30/1998)
08/14/1998	234	RESPONSE by Lemuel Middleton and class plaintiffs to [233-1] defendant's motion to strike new report from Dr. David Rasmussen. (crb) (Entered: 08/14/1998)
09/21/1998	235	MOTION by Lemuel Middleton and plaintiffs with memorandum in support to dismiss with prejudice the claims of plaintiffs David Kee, Sherria Campbell, Charles Jackson, Byron Williams ; proposed order attached (crb) (Entered: 09/24/1998)
09/28/1998	236	NOTICE of filing supplemental authority in support of objections to report and recommendation on plaintiffs' motion for class certification 227 by Publix Super Market; attachment (crb) Modified on 09/30/1998 (Entered: 09/29/1998)
09/30/1998	237	ORDER deferring [101-1] defendants' motion for summary judgment and [151-1] motion for summary judgment on named plaintiff Lemuel Middleton's claims (Signed by Judge Henry L. Adams Jr.) ctc (crb) (Entered: 09/30/1998)
09/30/1998	238	ORDER deferring [177-1] defendant's motion concerning unresolved merits discovery matters from the parties' case management report (Signed by Mag. Judge Thomas B. McCoun III) ctc (crb) (Entered: 10/01/1998)
10/05/1998	239	MEMORANDUM in response consenting to motion to dismiss with prejudice 235 of four plaintiffs conditioned upon award of taxable costs and attorneys' fees by Publix Super (crb) (Entered: 10/07/1998)
10/05/1998	240	MOTION by Publix Super Market for bill of costs to be taxed against David Kee ; attachments (crb) (Entered: 10/07/1998)
10/05/1998	241	MOTION by Publix Super Market for bill of costs to be taxed against Byron Williams ; attachments (crb) (Entered: 10/07/1998)

10/05/1998	242	MOTION by Publix Super Market for bill of costs to be taxed against Charles Jackson ; attachments (crb) (Entered: 10/07/1998)
10/05/1998	243	MOTION by Publix Super Market for bill of costs to be taxed against Sherria Campbell ; attachments (crb) (Entered: 10/07/1998)
10/07/1998	244	NOTICE of filing additional supplemental authority in support of objections to report and recommendation on plaintiff's motion for class certification 227 by Publix Super Market; attachment (crb) (Entered: 10/08/1998)
10/13/1998	245	RESPONSE re: clarification regarding status of motion concerning unresolved merits discovery matters 177 as ordered deferred on 09/30/98 238 by Publix Super Market (crb) (Entered: 10/14/1998)
10/19/1998	246	RESPONSE by Lemuel Middleton and class plaintiffs to [245-1] defendant's clarification regarding status 245 of motion concerning unresolved merits discovery matters 177 as ordered on 09/30/98 238 (crb) (Entered: 10/20/1998)
10/20/1998	247	MOTION by Lemuel Middleton and class plaintiffs with memorandum in support to amend [1-1] complaint and to strike defendant's jury demand re: [17-1] answer ; first amended class action complaint attached (crb) (Entered: 10/20/1998)
10/26/1998	248	MOTION by Publix Super Market for leave to file reply brief in support of motion to dismiss with prejudice the claims of plaintiffs Kee, Campbell, Jackson, and Williams (proposed reply brief attached) (eec) (Entered: 10/27/1998)
11/02/1998	249	RESPONSE by Publix Super Market to [247-1] motion to amend [1-1] complaint, [247-2] motion to strike defendant's jury demand re: [17-1] answer. (eec) (Entered: 11/03/1998)
11/09/1998	250	RESPONSE by Publix Super Market in opposition to [248-1] motion for leave to file reply brief in support of motion to dismiss with prejudice the claims of plaintiffs Kee, Campbell, Jackson, and Williams. (eec) (Entered: 11/10/1998)
01/14/1999	251	NOTICE of filing new Federal Rules authority by plaintiffs Lemuel Middleton, et al. in support of plaintiffs' positions on the cross objections to the Magistrate Judge's report and recommendation on class certification. (eec) (Entered: 01/15/1999)
01/27/1999	252	MOTION by Publix Super Market to strike [251-1] plaintiff's notice of new federal rules authority (eec) (Entered: 01/28/1999)
01/27/1999	253	RESPONSE by Publix Super Market to [251-1] plaintiff's notice of new federal rules authority. (eec) (Entered: 01/28/1999)
02/11/1999	254	RESPONSE by plaintiffs Lemuel Middleton, et. al., to [252-1] motion to strike [251-1] plaintiff's notice of new federal rules authority. (eec) (Entered: 02/12/1999)
03/17/1999	255	ORDER denying [233-1] motion to strike new report from Dr. David Rasmussen, expert statistician, re: [231-1] response to defendant's objections to report and recommendations on motion for class certification 231 granting [235-1] motion to dismiss with prejudice the claims of plaintiffs David Kee, Sherria Campbell, Charles Jackson, Byron Williams, and said plaintiffs are dismissed with prejudice, denying [241-1] motion for bill of costs to be taxed Byron Williams denying [248-1] motion for leave to file reply brief in support of motion to dismiss with prejudice the claims of plaintiffs Kee, Campbell, Jackson, and Williams denying [252-1] motion to strike [251-1] plaintiff's notice of new federal rules authority, to motion. Plaintiffs shall have 10 days from the date of this order in which to file a response, if any, to the cost of bills filed by defendants, reset to 3/31/99 for [243-1] motion for bill of costs to be taxed against Sherria Campbell, reset to for [242-1] motion for bill of costs to be taxed against Charles Jackson, reset to 3/31/99 for [240-1] motion for bill of costs to be taxed against David Kee (Signed by Judge Henry L. Adams Jr.) ctc (wlb) (Entered: 03/19/1999)
03/22/1999	256	ORDER adopting report and recommendation except that the Court declines to certify a hiring subclass at this time; (See order for further information) granting [247-1] motion to amend [1-1] complaint, Publix shall have 45 days to conduct discovery and submit memorandum regarding whether plaintiff Charmaine

		Washington is an appropriate class representative with respect to plaintiffs hiring claim and plaintiffs shall have 10 days to respond; denying [247-2] motion to strike defendant's jury demand re: [17-1] answer (Signed by Judge Henry L. Adams Jr.) ctc (jlh) (Entered: 03/23/1999)
03/22/1999	<u>257</u>	AMENDED COMPLAINT by Lemuel Middleton, Reginald Lewis, John Kee, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett amending [1-1] complaint against Charmaine Washington. Terminated plaintiff Laswanya Jackson, plaintiff John Kee . (Answer due 4/1/99 for Publix Super Market) (jlh) (Entered: 03/23/1999)
03/26/1999	258	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support for reconsideration of [256-1] order dated 3/22/99 denying motion to strike jury demand (jlh) (Entered: 03/26/1999)
03/26/1999	259	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to extend time to file objections to bill of costs (jlh) (Entered: 03/26/1999)
03/29/1999	260	CERTIFICATE OF COMPLIANCE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with Local Rule 3.01(G) regarding [259-1] motion to extend time to file objections to bill of costs (gkm) (Entered: 03/30/1999)
03/30/1999	261	ORDER granting [259-1] motion to extend time to file objections to bill of costs. Objections to Publix's Bills of Costs due up to and including 4/2/99. (Signed by Judge Henry L. Adams Jr.) ctc (ma) (Entered: 03/30/1999)
04/02/1999	262	MEMORANDUM by David Kee, Byron Williams, Sherria Campbell, Charles Jackson in opposition to [243-1] motion for bill of costs to be taxed against Sherria Campbell, [242-1] Charles Jackson, [241-1] Byron Williams, and [240-1] David Kee (kit) (Entered: 04/05/1999)
04/05/1999	264	CORRECTED OBJECTIONS by David Kee, Byron Williams, Sherria Campbell, Charles Jackson in opposition to defendant's bills of costs (jlh) (Entered: 04/06/1999)
04/05/1999	263	NOTICE of filing corrected objections to bills of costs by David Kee, Byron Williams, Sherria Campbell, Charles Jackson (jlh) (Entered: 04/06/1999)
04/06/1999	265	NOTICE of filing declaration of Sherria Campbell in support of [264-1] corrected objections to bills of costs regarding Sherria Campbell, Charles Jackson, David Kee and Byron Williams by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington (mrh) (Entered: 04/07/1999)
04/06/1999	266	AFFIDAVIT (declaration) of Sherria Campbell by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington Re: support of [264-1] corrected objections to bills of costs; exhibits attached. (mrh) (Entered: 04/07/1999)
04/12/1999	267	RESPONSE by Publix Super Market in opposition to [258-1] motion for reconsideration of [256-1] order dated 3/22/99 denying motion to strike jury demand (jlh) (Entered: 04/13/1999)
04/15/1999	268	ANSWER and defenses by Publix Super Market to amended complaint; jury demand (jlh) (Entered: 04/16/1999)
04/21/1999	269	ORDER (entered at USCA dated 4/19/99 and styled Publix v. Middleton) Respondent's motion for extension of time until 4/22/99 to respond to petition for permission to appeal is granted. (gw) (Entered: 04/22/1999)

04/26/1999	270	NOTICE of attorney appearance as co-counsel for Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington by Walter E. Aye (rjc) (Entered: 04/27/1999)
04/28/1999	271	NOTICE of telephonic status hearing on discovery: set telephonic status conference on discovery for 10:00 5/21/99 Scheduled for Mag.Judge Thomas B. McCoun III ctc (rjc) (Entered: 04/29/1999)
05/03/1999	272	ORDER (entered at USCA) Petition for permission to appeal pursuant to Rule 23(f) is denied. MFR Number 119/528 (gw) (Entered: 05/05/1999)
05/04/1999	273	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support to quash subpoenas to colleges attended by Charmaine Washington referred to Mag.Judge Thomas B. McCoun III (cek) (Entered: 05/05/1999)
05/04/1999	274	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support to quash subpoenas to colleges attended by Charmaine Washington referred to Mag.Judge Thomas B. McCoun III (jnb) (Entered: 05/06/1999)
05/06/1999	275	MEMORANDUM by Publix Super Market in opposition to [256-1] order permitting certification of a hiring subclass with Charmaine Washington as class representative. Exhibits filed under separate cover. (jnb) (Entered: 05/07/1999)
05/06/1999	276	NOTICE of filing Charmaine Washington deposition transcript by Publix Super Market (jnb) (Entered: 05/07/1999)
05/06/1999	276	DEPOSITION of Charmaine Washington by Publix Super Market re: [275-1] opposition memorandum (jnb) (Entered: 05/07/1999)
05/10/1999	277	NOTICE of filing declarations of Elisa Mendia and David Wright by Publix Super Market (jlh) (Entered: 05/11/1999)
05/14/1999	278	NOTICE of telephone status conference Hearing: set status conference for 2:30 6/1/99 Scheduled for Mag.Judge Thomas B. McCoun III ctc (jlh) (Entered: 05/17/1999)
05/17/1999	279	MEMORANDUM by Publix Super Market in opposition to [274-1] motion to quash subpoenas to colleges attended by Charmaine Washington, [273-1] motion to quash subpoenas to colleges attended by Charmaine Washington (cek) (Entered: 05/18/1999)
05/20/1999	280	RESPONSE MEMORANDUM by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to [275-1] opposition memorandum regarding whether Charmaine Washington is an appropriate class representative (jlh) (Entered: 05/21/1999)
06/02/1999	<u>281</u>	AMENDED ORDER denying without prejudice [177-1] motion concerning unresolved merits discovery matters from the parties' case management report (Signed by Mag.Judge Thomas B. McCoun III) ctc (jlh) (Entered: 06/03/1999)
06/02/1999	<u>282</u>	ORDER that the parties shall file a supplemental case management report within 10 days (Signed by Mag.Judge Thomas B. McCoun III) ctc (jlh) (Entered: 06/03/1999)
06/02/1999	<u>283</u>	MINUTE ENTRY: Status conference held on 6/1/99 before Judge Thomas B. McCoun Court Reporter: Tape 66 (jlh) (Entered: 06/03/1999)
06/03/1999		Status conference held (jlh) (Entered: 06/03/1999)
06/04/1999	<u>284</u>	NOTICE of supplemental authority in support of memorandum in opposition to certification of hiring subclass with Charmaine Washington as Class Representative by Publix Super Market (jlh) (Entered: 06/07/1999)

06/04/1999	<u>285</u>	ORDER granting in part, denying in part [274-1] motion to quash subpoenas to colleges attended by Charmaine Washington The subpoena toward BergenCommunity College is quashed. However Publix may re-issue to Webster College and St. Leo college requesting documents establishing Washington's matriculation at each school etc. To this extent the motion to quash is denied, insofar as the contested subpoenas seek additional information from these colleges, the motion to quash is granted. (Signed by Mag.Judge Thomas B. McCoun III) ctc (jlh) (Entered: 06/07/1999)
06/09/1999	<u>286</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support to amend [1-1] complaint , and and designate a new representative for the hiring subclass (jlh) (Entered: 06/11/1999)
06/16/1999	<u>287</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to extend time fin which to file case management report (jlh) (Entered: 06/16/1999)
06/18/1999	<u>288</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support to substitute proposed amended complaint attached to pending motion to amend the complaint (jlg) (Entered: 06/18/1999)
06/21/1999	<u>289</u>	MOTION by Charmaine Washington to dismiss her claims without prejudice (jlh) (Entered: 06/21/1999)
06/22/1999	<u>290</u>	ORDER granting [287-1] motion to extend time fin which to file case management report up to 6/30/99 (Signed by Judge Henry L. Adams Jr.) ctc (jlh) (Entered: 06/22/1999)
06/22/1999	<u>291</u>	RESPONSE by Publix Super Market in opposition to [286-1] motion to amend [1-1] complaint, [286-2] motion to designate a new representative for the hiring subclass (rjc) (Entered: 06/23/1999)
06/30/1999	<u>292</u>	SUPPLEMENTAL CASE MANAGEMENT REPORT regarding merits discovery. (mrh) (Entered: 07/01/1999)
07/06/1999	<u>293</u>	JOINDER (memorandum) in [289-1] motion to dismiss her claims without prejudice Charmaine Washington's claims conditioned upon award of costs and attorneys' fees by Publix Super Markets. (mrh) (Entered: 07/08/1999)
07/07/1999	<u>294</u>	RESPONSE by Publix Super Market to [288-1] motion to substitute proposed amended complaint attached to pending motion to amend the complaint (mrh) (Entered: 07/08/1999)
07/12/1999	<u>295</u>	MOTION by Publix Super Market with memorandum in support to sever claims of victor Kee and Andrew Lovett , and for separate trials (jlh) (Entered: 07/13/1999)
07/12/1999	<u>296</u>	MOTION by Publix Super Market with memorandum in support to serve additional interrogatories referred to Mag.Judge Thomas B. McCoun III (jlh) (Entered: 07/13/1999)
07/12/1999	<u>297</u>	MOTION by Publix Super Market with memorandum in support to resolve dispute regarding scope of stage 1 trial (jlh) (Entered: 07/13/1999)
07/12/1999	<u>298</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington with memorandum in support concerning disputed issues in the supplemental case management report (jlh) (Entered: 07/13/1999)
07/13/1999	<u>299</u>	NOTICE of filing original declaration by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington (jlh) Modified on 05/31/2001 (Entered: 07/14/1999)

07/13/1999	<u>300</u>	AFFIDAVIT of David Rasmussen by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington Re: [299-1] notice (jlh) (Entered: 07/14/1999)
07/22/1999	<u>301</u>	RESPONSE by Charmaine Washington to [293-1] memorandum requesting costs and fees as a condition for the dismissal of her claims. (eec) (Entered: 07/23/1999)
07/26/1999	<u>302</u>	CASE MANAGEMENT AND SCHEDULING ORDER setting expert witness disclosure 5/2/00; Discovery cutoff 6/2/00; Deadline for filing of motions 7/3/00; Pretrial statement due on or before 11/27/00; Pretrial conference for 9:00 12/1/00; Jury trial set for 1/2/01 Scheduled for Judge Henry L. Adams. Jr. (signed by Judge Henry L. Adams Jr.) ctc (eec) Modified on 07/26/1999 (Entered: 07/26/1999)
07/29/1999	<u>303</u>	RESPONSE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to [295-1] motion to sever claims of Victor Kee and Andrew Lovett, [295-2] motion for separate trials. (eec) (Entered: 07/30/1999)
07/29/1999	<u>304</u>	RESPONSE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to [296-1] motion to serve additional interrogatories. (eec) (Entered: 07/30/1999)
07/29/1999	<u>305</u>	RESPONSE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to [297-1] motion to resolve dispute regarding scope of stage 1 trial. (eec) (Entered: 07/30/1999)
07/29/1999	<u>306</u>	RESPONSE IN PARTIAL OPPOSITION by Publix Super Market to [298-1] motion concerning disputed issues in the supplemental case management report. (eec) (Entered: 07/30/1999)
08/23/1999	<u>307</u>	ORDER granting [296-1] motion to serve additional interrogatories. (Signed by Mag.Judge Thomas B. McCoun III) ctc (eec) (Entered: 08/24/1999)
10/07/1999	<u>308</u>	ORDER granting [240-1] motion for bill of costs to be taxed against David Kee, granting [242-1] motion for bill of costs to be taxed against Charles Jackson, granting [243-1] motion for bill of costs to be taxed against Sherria Campbell. To the extent that Publix's costs are taxed in the total amount of \$262.85. See order for details. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 10/08/1999)
11/02/1999	<u>309</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Andrew Lovett, Victor Kee, Charmaine Washington to allow further briefing on the issue of the representative of the hiring subclass (memorandum attached) (eec) Modified on 11/05/1999 (Entered: 11/03/1999)
11/16/1999	<u>310</u>	RESPONSE by Publix Super Market in opposition to [309-1] motion to allow further briefing on the issue of the representative of the hiring subclass. (eec) (Entered: 11/17/1999)
02/02/2000	<u>311</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Charmaine Washington to compel responses to first request for production of documents for merits discovery referred to Mag.Judge Thomas B. McCoun III. (eec) (Entered: 02/03/2000)
02/18/2000	<u>312</u>	MEMORANDUM by Publix Super Market in opposition to [311-1] motion to compel responses to first request for production of documents for merits discovery. (eec) (Entered: 02/23/2000)
03/15/2000	<u>313</u>	NOTICE of telephone status conference hearing: set telephone conference for 10:45 4/7/00 Scheduled for Mag.Judge Thomas B. McCoun III ctc (rjc) (Entered: 03/16/2000)

03/16/2000	<u>314</u>	AMENDED NOTICE of Hearing: reset telephone status conference for 10:00 4/19/00 Scheduled for Mag.Judge Thomas B. McCoun III ctc (jnb) (Entered: 03/17/2000)
03/20/2000		Motion(s) referred: [298-1] motion concerning disputed issues in the supplemental case management report referred to Mag.Judge Thomas B. McCoun III. (eec) (Entered: 03/20/2000)
03/21/2000	<u>315</u>	ORDER granting [295-1] motion to sever claims of Victor Kee and Andrew Lovett, granting [295-2] motion for separate trials; the parties shall submit a case management report for each of these claims within 15 days. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 03/22/2000)
03/21/2000	<u>316</u>	ORDER granting [289-1] motion to dismiss her claims without prejudice; the claims of plaintiff Charmaine Washington are dismissed without prejudice. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 03/22/2000)
03/21/2000	<u>317</u>	ORDER granting [297-1] motion to resolve dispute regarding scope of stage I trial; only class-wide pattern or practice of discrimination issues shall be tried during stage I proceedings. The claims of the individual class representatives shall be tried during state II proceedings. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 03/22/2000)
03/21/2000	<u>318</u>	ORDER denying [286-1] motion to amend [1-1] complaint; denying as moot [286-2] motion and designate a new representative for the hiring subclass; denying [288-1] motion to substitute proposed amended complaint attached to pending motion to amend the complaint; denying [309-1] motion to allow further briefing on the issue of the representative the hiring subclass. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 03/22/2000)
03/21/2000	<u>319</u>	ORDER denying [258-1] motion for reconsideration of [256-1] order dated 3/22/99 denying motion to strike jury demand. (Signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 03/22/2000)
03/30/2000	<u>320</u>	NOTICE OF HEARING: Motion hearing set for 9:30 4/19/00 for [311-1] motion to compel responses to first request for production of documents for merits discovery, and for [298-1] motion concerning disputed issues in the supplemental case management report Scheduled for Mag.Judge Thomas B. McCoun III (Signed by Mag.Judge Thomas B. McCoun III) ctc (eec) (Entered: 03/31/2000)
04/06/2000	<u>321</u>	JOINT MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market (joint) for extension of time to submit case management report for the claims of plaintiffs Kee and Lovett, until 4/14/00 (eec) (Entered: 04/06/2000)
04/17/2000	<u>322</u>	CASE MANAGEMENT REPORT on the claims of Victor Kee. (eec) (Entered: 04/18/2000)
04/17/2000	<u>323</u>	CASE MANAGEMENT REPORT on the claims of Andrew Lovett. (eec) (Entered: 04/18/2000)
04/19/2000	<u>324</u>	STATUS CONFERENCE held on 4/19/00 before Mag.Judge Thomas B. McCoun III. Court Reporter: Carol Jacobs. (eec) (Entered: 04/20/2000)
04/19/2000	<u>325</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market to continue expert witness disclosures, until 6/13/00 , to continue discovery cut-off, until 7/21/00 , to continue dispositive motion filing deadline, until 9/11/00 (eec) Modified on 05/02/2000 (Entered: 04/20/2000)
04/20/2000	<u>326</u>	ORDER granting, nunc pro tunc, [321-1] joint motion for extension of time to submit case management report for the claims of plaintiffs Kee and Lovett, until 4/14/00 (Signed by Judge Henry L. Adams Jr.) ctc (ls) (Entered: 04/21/2000)
04/21/2000	<u>327</u>	ORDER granting in part, denying in part [298-1] motion concerning disputed issues in the supplemental case management report; granting in part; denying in part [311-1] motion to compel responses to first request for production of

		documents for merits discovery. See order for details. (Signed by Mag.Judge Thomas B. McCoun III) ctc (eec) Modified on 05/01/2000 (Entered: 04/24/2000)
05/01/2000	<u>328</u>	ORDER granting [325-1] motion to continue expert witness disclosures, granting [325-2] motion to continue discovery cut-off, granting [325-3] motion to continue dispositive motion filing deadline; discovery cutoff 7/21/00 , dispositive motion filing deadline for 9/11/00 , pretrial conference for 10:30 1/26/01 scheduled for Judge Henry L. Adams Jr. , pretrial statement deadline for 1/23/01 , jury trial for 3/3/01 scheduled for Judge Henry L. Adams Jr. (Signed by Judge Henry L. Adams Jr.) ctc (eec) Modified on 05/02/2000 (Entered: 05/02/2000)
05/01/2000	<u>329</u>	CASE MANAGEMENT AND SCHEDULING ORDER setting Expert witness disclosure 10/4/00; discovery cutoff 11/3/00; dispositive motion filing deadline for 12/4/00; Pretrial statement due on or before 4/24/01; Pretrial conference for 10:30 4/27/01; Jury trial set for 6/4/01; Scheduled for Judge Henry L. Adams Jr. (signed by Judge Henry L. Adams Jr.) ctc (eec) (Entered: 05/02/2000)
06/01/2000	<u>330</u>	NOTICE OF CASE REASSIGNMENT to the Honorable Judge James D. Whittemore. ctc (jlh) (Entered: 06/01/2000)
06/14/2000	<u>331</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market to continue expert witness disclosures, until 9/5/00 , to continue discovery cut-off, until 10/13/00 , to continue dispositive motions filing deadline, until 12/4/00 (eec) (Entered: 06/15/2000)
06/14/2000	<u>332</u>	ORDER granting [331-1] motion to continue expert witness disclosures, until 9/5/00; granting [331-2] motion to continue discovery cut-off, until 10/13/00; granting [331-3] motion to continue dispositive motions filing deadline, until 12/4/00; reset expert witness disclosure deadline for 9/5/00; reset discovery due for 10/13/00 , reset dispositive motion filing deadline for 12/4/00 (Signed by Mag.Judge Thomas B. McCoun III) ctc (eec) (Entered: 06/15/2000)
06/22/2000	<u>333</u>	ORDER granting [31-1] motion to amend and modify [15-1] order of 05/08/97 governing class certification schedule, reset witness disclosures to 9/5/00, reset discovery due for 10/13/00 , reset dispositive motion filing deadline for 12/4/00 (Signed by Judge James D. Whittemore) ctc (rjc) (Entered: 06/23/2000)
08/29/2000	<u>334</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market to continue certain pretrial deadlines (eec) (Entered: 08/30/2000)
09/01/2000	<u>335</u>	ORDER granting in part [334-1] motion to continue certain pretrial deadlines; expert witness disclosure for 10/16/00; discovery due for 11/24/00 The deadline for filing dispositive motions shall remain 12/4/00. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 09/01/2000)
09/29/2000	<u>336</u>	NOTICE of hearing by Publix Super Market, re: case status conference. (eec) (Entered: 10/02/2000)
10/02/2000	<u>337</u>	STATUS CONFERENCE held on 10/2/00 before Judge James D. Whittemore; Court Reporter: Kathleen Walden. (eec) (Entered: 10/03/2000)
10/02/2000		ORAL MOTION in open court by Publix Super Market for in-camera hearing (eec) (Entered: 10/03/2000)
10/02/2000		ORAL ORDER denying [0-0] motion for in-camera hearing. (Entered by Judge James D. Whittemore) (eec) (Entered: 10/03/2000)
10/04/2000	<u>338</u>	MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett for leave to withdraw attorney, Kesler T. Roberts (eec) (Entered: 10/05/2000)
10/04/2000	<u>339</u>	ORDER expert witness disclosure deadline for 12/15/00; discovery due for 1/26/01 ; dispositive motion filing deadline for 2/9/01 (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 10/05/2000)

10/10/2000	<u>340</u>	NOTICE of filing proposed order amending case management and scheduling order as to palintiffs Kee and Lovett by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones–McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market (jlh) (Entered: 10/11/2000)
10/11/2000	<u>341</u>	ORDER granting [338–1] motion for leave to withdraw attorney, Kesler T. Roberts. (Terminated attorney Kessler T. Roberts for Charmaine Washington). (Signed by Judge James D. Whittemore), ctc (ag) (Entered: 10/12/2000)
10/27/2000	<u>342</u>	AGREED MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones–McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market (agreed) to modify case management and scheduling order (jlh) Modified on 10/30/2000 (Entered: 10/30/2000)
11/07/2000	<u>343</u>	ORDER denying as moot [342–1] agreed motion to modify case management and scheduling order. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 11/08/2000)
12/29/2000	<u>344</u>	NOTICE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones–McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett of unavailability of counsel from 1/29/01 to 2/23/01. (eec) (Entered: 01/02/2001)
12/29/2000	<u>345</u>	NOTICE OF HEARING: status conference for 2:00 1/3/01 scheduled for Judge James D. Whittemore (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 01/02/2001)
12/29/2000	<u>346</u>	JOINT MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones–McCall, Willie Jones, Joya Fulton, Victor Kee, Andrew Lovett, Publix Super Market (joint) requesting preliminary approval of proposed consent decree , and (unopposed) for leave to amend [257–1] amended complaint (attachments under separate cover) (eec) (Entered: 01/02/2001)
01/04/2001	<u>347</u>	STATUS CONFERENCE held on 1/3/01 before Judge James D. Whittemore. (eec) (Entered: 01/05/2001)
01/04/2001	<u>348</u>	ORDER granting [346–1] joint motion requesting preliminary approval of proposed consent decree, granting [346–2] unopposed motion for leave to amend [257–1] amended complaint. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 01/05/2001)
01/05/2001	<u>349</u>	ORDER preliminarily approving proposed decree; see order for details. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 01/08/2001)
01/19/2001	<u>350</u>	STIPULATION AND JOINT MOTION by Victor Kee, Andrew Lovett, Publix Super Market (stipulation and joint) for dismissal of their claims with prejudice (eec) (Entered: 01/22/2001)
01/23/2001	<u>351</u>	ORDER granting [350–1] stipulation and joint motion for dismissal of their claims with prejudice; this case is dismissed with prejudice. (by Judge James D. Whittemore) ctc (eec) (Entered: 01/23/2001)
01/23/2001		The dismissal (doc. 351) is only as to the parties that filed it. The dismissal does not close this case. (eec) (Entered: 01/30/2001)
02/20/2001		ORDER dated 1/22/01 addressed to Jeffrey Freund returned "forwarding order expired" (jlh) (Entered: 02/21/2001)
02/23/2001	<u>352</u>	ORDER directing administrative closure. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 02/26/2001)
03/19/2001		Letter of Objection by Henry L. Wilson, re: proposed settlement (opt–out). (eec) Modified on 03/23/2001 (Entered: 03/19/2001)
03/19/2001		Reply by Joseph Estime, re: proposed settlement (opt–out). (eec) Modified on 03/23/2001 (Entered: 03/19/2001)

03/22/2001		Letter by Maurice D. Daniels, re: settlement proposal (opt-out). (eec) Modified on 03/23/2001 (Entered: 03/22/2001)
03/23/2001		Letter by Valentina Elena Washington, re: proposed settlement (opt-out). (eec) (Entered: 03/23/2001)
03/23/2001	<u>353</u>	REPORT on completion of the initial notice procedures by Publix Super Market (bls) (Entered: 03/26/2001)
03/26/2001		LETTER from Theresa R. Orelus re: Settlement Agreement (opt-out) (rjc) (Entered: 03/27/2001)
03/26/2001		LETTER from Elijah Bryant re: Settlement Agreement (Agreement with settlement) (rjc) (Entered: 03/27/2001)
04/02/2001	<u>354</u>	STATUS REPORT on settlement proceedings by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 04/02/2001)
04/16/2001		Letter from Shunquita M. Oaletree, re: proposed settlement. (opt-out) (eec) (Entered: 04/16/2001)
04/16/2001		Letter from Sederre Pierre, re: proposed settlement. (eec) (Entered: 04/17/2001)
04/16/2001		Letter from Jean Pierre, re: proposed settlement. (eec) (Entered: 04/17/2001)
04/16/2001		Letter from Martha Louzy, re: proposed settlement. (eec) (Entered: 04/17/2001)
04/18/2001		Letter from Jewell Moore, re: proposed settlement. (opt-out) (eec) (Entered: 04/18/2001)
04/25/2001		Letter by Maurice Devon Hartage, re: proposed settlement. (eec) (Entered: 04/25/2001)
04/25/2001		Letter from Edwina Edmonds, re: proposed settlement. (eec) (Entered: 04/27/2001)
04/26/2001		Letter from Emmanuel Joseph, re: proposed settlement. (eec) (Entered: 04/27/2001)
04/26/2001		Letter from Camille Johnson, re: proposed settlement. (opt-out) (eec) (Entered: 04/27/2001)
05/01/2001	<u>355</u>	STATUS REPORT on settlement proceedings as of 4/30/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 05/01/2001)
05/02/2001		Letter from Pierre W. Joseph, re: proposed settlement. (eec) (Entered: 05/02/2001)
05/03/2001		Letter from Barbara Stephens, re: proposed settlement. (opt-out) (eec) (Entered: 05/04/2001)
05/24/2001		Letter from Christopher T. Lee, re: proposed settlement. (eec) (Entered: 05/25/2001)
06/01/2001	<u>356</u>	STATUS REPORT on settlement proceedings as of 5/31/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 06/04/2001)
06/13/2001	<u>357</u>	UNOPPOSED MOTION by Publix Super Market (unopposed) for leave to bring laptop computer into the courtroom for the fairness hearing (eec) (Entered: 06/13/2001)
06/13/2001	<u>358</u>	MEMORANDUM by Publix Super Market in support of final approval of consent decree. (eec) Modified on 06/20/2001 (Entered: 06/13/2001)
06/13/2001	<u>359</u>	REPORT ON COMPLETION OF THE NOTICE PROCEDURES by Publix Super Market. (eec) (Entered: 06/13/2001)
06/13/2001	<u>360</u>	BRIEF by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton in support of final approval of consent decree. (eec) (Entered: 06/14/2001)

06/13/2001	<u>361</u>	APPENDIX by Publix Super Market to [359-1] report. (filed separately) (eec) (Entered: 06/14/2001)
06/13/2001	<u>362</u>	APPENDIX E (Volume I) by Publix Super Market to [359-1] report. (filed separately) (eec) (Entered: 06/14/2001)
06/13/2001	<u>363</u>	APPENDIX E (Volume II) by Publix Super Market to [359-1] report. (filed separately) (eec) (Entered: 06/14/2001)
06/13/2001	<u>364</u>	APPENDIX E (Volume III) by Publix Super Market to [359-1] report. (filed separately) (eec) (Entered: 06/14/2001)
06/15/2001	<u>365</u>	ORDER granting [357-1] unopposed motion for leave to bring laptop computer into the courtroom for the fairness hearing. (Signed by Judge James D. Whittemore) (eec) (Entered: 06/18/2001)
06/18/2001	<u>366</u>	NOTICE of filing demonstrative exhibit by Publix Super Market in support of final approval of consent decree. (eec) Modified on 06/22/2001 (Entered: 06/19/2001)
06/18/2001	<u>367</u>	JOINT MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Publix Super Market (joint) requesting approval of Kenneth R. Hart as awards arbitrator (eec) (Entered: 06/19/2001)
06/21/2001	<u>368</u>	ORDER granting [367-1] joint motion requesting approval of Kenneth R. Hart as awards arbitrator. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 06/21/2001)
06/21/2001	<u>369</u>	REPORT AND RECOMMENDATION of Magistrate Judge Thomas B. McCoun III recommending that the District Judge: 1. approve the opt-out of each individual, except for Christopher T. Lee; 2. approve Kenneth R. Hart as the awards arbitrator contemplated by the consent decree; 3. approve the consent decree in its entirety. Objections due by 7/9/01. ctc (eec) (Entered: 06/22/2001)
07/02/2001	<u>370</u>	STATUS REPORT on settlement proceedings as of 6/29/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 07/03/2001)
07/09/2001	<u>371</u>	OBJECTION by Publix Super Market to [369-1] report and recommendations. (eec) (Entered: 07/10/2001)
07/12/2001	<u>372</u>	ORDER the court approves the proposed consent decree in its entirety subject to the additional findings; court approves Kenneth R. Hart as the awards arbitrator; all pending motions are denied as moot; the clerk is to close this case; see order for details. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 07/12/2001)
07/12/2001	<u>373</u>	CONSENT DECREE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Publix Super Market; see decree for details. (Signed by James D. Whittemore) (eec) Modified on 07/12/2001 (Entered: 07/12/2001)
07/12/2001		CASE CLOSED. (eec) (Entered: 07/13/2001)
07/13/2001	<u>374</u>	RESPONSE by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton to objections to [369-1] report and recommendations. (eec) (Entered: 07/13/2001)
08/02/2001	<u>375</u>	STATUS REPORT on settlement proceedings as of 7/31/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (jlh) (Entered: 08/03/2001)
09/04/2001	<u>376</u>	STATUS REPORT on settlement proceedings as of 8/31/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (jlh) (Entered: 09/05/2001)
10/01/2001	<u>377</u>	STATUS REPORT on settlement proceedings as of 9/28/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 10/02/2001)

10/26/2001	<u>378</u>	MOTION by Publix Super Market with memorandum in support to substitute attorney Dinita L. James in place of Stanley H. Eleff (eec) (Entered: 10/29/2001)
11/01/2001	<u>379</u>	STATUS REPORT on settlement proceedings as of 10/30/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 11/01/2001)
11/02/2001	<u>380</u>	ORDER granting [378-1] motion to substitute attorney Dinita L. James in place of Stanley H. Eleff; terminated attorney Kevin M. Smith and Marvin E. Barkin for Publix Super Market. (Signed Judge James D. Whittemore) ctc (eec) (Entered: 11/05/2001)
12/03/2001	<u>381</u>	STATUS REPORT on settlement proceedings as of 11/30/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 12/04/2001)
01/02/2002	<u>382</u>	STATUS REPORT on settlement proceedings as of 12/31/01 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 01/03/2002)
02/08/2002	<u>383</u>	STATUS REPORT on settlement proceedings as of February 6, 2002 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (mss) (Entered: 02/11/2002)
03/04/2002	<u>384</u>	STATUS REPORT on settlement proceedings as of 2/28/02 by Lemuel Middleton, Reginald Lewis. (cbh) Modified on 09/06/2002 (Entered: 03/05/2002)
04/03/2002	<u>385</u>	STATUS REPORT on settlement proceedings of 4/1/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (jnb) (Entered: 04/04/2002)
05/03/2002	<u>386</u>	STATUS REPORT on settlement proceedings as of 5/1/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 05/06/2002)
06/03/2002	<u>387</u>	STATUS REPORT on settlement proceedings as of 5/31/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 06/04/2002)
07/08/2002	<u>388</u>	STATUS REPORT on settlement proceedings as of 7/1/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 07/09/2002)
08/05/2002	<u>389</u>	STATUS REPORT on settlement proceedings as of 8/1/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 09/06/2002 (Entered: 08/05/2002)
09/05/2002	<u>390</u>	STATUS REPORT as of 9/3/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 09/06/2002)
10/03/2002	<u>391</u>	STATUS REPORT as of 9/30/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) Modified on 10/04/2002 (Entered: 10/04/2002)
11/06/2002	<u>392</u>	STATUS REPORT on settlement proceedings as of 10/31/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 11/07/2002)
12/02/2002	<u>393</u>	JOINT STATUS REPORT on settlement proceedings as of 11/27/02 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton, Publix Super Market. (eec) (Entered: 12/03/2002)
01/06/2003	<u>394</u>	STATUS REPORT on settlement proceedings as of 1/2/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (jlh) (Entered: 01/07/2003)

02/05/2003	<u>395</u>	STATUS REPORT on settlement proceedings as of 2/3/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 02/06/2003)
03/05/2003	<u>396</u>	STATUS REPORT on settlement proceedings as of 2/28/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 03/06/2003)
04/02/2003	<u>397</u>	STATUS REPORT on settlement proceedings as of 3/31/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 04/03/2003)
05/05/2003	<u>398</u>	STATUS REPORT on settlement proceedings as of 5/1/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 05/06/2003)
06/02/2003	<u>399</u>	STATUS REPORT on settlement proceedings as of 5/30/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 06/02/2003)
07/02/2003	<u>400</u>	STATUS REPORT on settlement proceedings as of 6/30/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 07/02/2003)
08/04/2003	<u>401</u>	STATUS REPORT on settlement proceedings as of 7/31/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 08/05/2003)
09/04/2003	<u>402</u>	STATUS REPORT on settlement proceedings as of 9/2/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 09/05/2003)
10/03/2003	<u>403</u>	UNOPPOSED MOTION by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton (unopposed) to relieve from obligation to file monthly status report on settlement proceedings (eec) (Entered: 10/03/2003)
10/06/2003	<u>404</u>	STATUS REPORT on settlement proceedings as of 9/30/03 by Lemuel Middleton, Reginald Lewis, Sharon Flowers, Gaston Hazelwood, Cynthia Jones-McCall, Willie Jones, Joya Fulton. (eec) (Entered: 10/06/2003)
10/09/2003	<u>405</u>	ORDER granting [403-1] unopposed motion to relieve from obligation to file monthly status report on settlement proceedings. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 10/09/2003)
06/09/2004	<u>406</u>	LETTER ORDER advising of improper filing in chambers; see order for details. (Signed by Judge James D. Whittemore) ctc (eec) (Entered: 06/10/2004)
08/17/2004	<u>407</u>	Joint MOTION approval of out-of-time monetary awards by Publix Super Markets, Inc.. (James, Dinita) (Entered: 08/17/2004)
08/25/2004	<u>408</u>	ORDER granting <u>407</u> Joint Motion for Approval of Out-of-Time Monetary Awards for Three Settlement Class Members. [See order for details.] Signed by Judge James D. Whittemore on 8/24/2004. (kle) (Entered: 08/25/2004)