

U.S. District Court [LIVE AREA]
United States District Court for the Middle District of Georgia (Macon)
CIVIL DOCKET FOR CASE #: 5:03-cv-00219-WDO

EEOC v. Cagle's Inc.
Assigned to: Judge Wilbur D. Owens, Jr
Demand: \$0
Case in other court: 11th Circuit, 05-11213-B
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 07/02/2003
Date Terminated: 02/01/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Gail S. Coleman**
U.S. Equal Employment Opportunity
Commission
Office of General Counsel
1801 L St., NW, Room 7034
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Intervenor Plaintiff

April Lepera

represented by **Charles E. Cox, Jr.**
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V.

Defendant

Cagle's Inc.

represented by **Elizabeth K. Dorminey**
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*ATTORNEY TO BE NOTICED***Intervenor Defendant****Cagle's Inc.**

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 (See above for address)
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Elizabeth K. Dorminey
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/02/2003	1	COMPLAINT filed; Service of Complaint due by 10/30/03 for Cagle's Inc. (dcp) (Entered: 07/02/2003)
07/07/2003		Case referred to ARBITRATION (trh) (Entered: 07/07/2003)
08/20/2003	2	WAIVER OF SERVICE returned executed as to Cagle's Inc. 7/9/03. Answer due on 9/8/03 for Cagle's Inc. (dcp) (Entered: 08/20/2003)
09/02/2003	3	MOTION by April Lepera to Intervene Complaint of Intervenor on left side of file awaiting ruling. Response due by 9/25/03 Reply to Response due by 10/14/03 for [3-1] motion (cma) (Entered: 09/03/2003)
09/04/2003	4	ANSWER to Complaint by Cagle's Inc. (Attorney Kathleen J. Jennings, Paul Oliver, Martin H. Steckel) (hrm) (Entered: 09/04/2003)
09/08/2003	5	ELECTION not to proceed before a Magistrate Judge by April Lepera (dcp) (Entered: 09/15/2003)
09/09/2003	6	RULES 16 AND 26 ORDER; proposed scheduling/discovery order due on 10/24/03 . (signed by Judge Wilbur D. Owens Jr.) (cma) (Entered: 09/09/2003)
09/15/2003	7	ELECTION not to proceed before a Magistrate Judge by EEOC (dcp) (Entered: 09/15/2003)
09/22/2003		ARBITRATION LETTER mailed. Parties to opt-out of arbitration by 10/20/03 (trh) (Entered: 09/22/2003)

09/30/2003	8	ORDER granting [3-1] motion to Intervene (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 09/30/2003)
10/02/2003		Case no longer referred to ARBITRATION. (trh) (Entered: 10/02/2003)
10/14/2003	9	Intervenor's COMPLAINT by April Lepera. (dcp) (Entered: 10/15/2003)
10/24/2003		PROPOSED SCHEDULING/DISCOVERY order received and forwarded to Judge Owens. (dcp) (Entered: 10/24/2003)
10/28/2003	10	SCHEDULING/DISCOVERY ORDER executed. Dispositive Motions to be filed by 4/19/04 Discovery to be complete 3/4/04 ; (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 10/28/2003)
11/24/2003	11	ANSWER by Cagle's Inc. to [9-1] intervenor complaint (dcp) (Entered: 11/24/2003)
02/26/2004	12	JOINT MOTION by EEOC, Cagle's Inc., April Lepera, Cagle's Inc. to Extend Time for discovery (dcp) (Entered: 02/27/2004)
02/27/2004		MOTION(S) submitted: submitted [12-1] joint motion to Extend Time for discovery ; Original case file and motion sent to Judge Wilbur D. Owens Jr. (dcp) (Entered: 02/27/2004)
03/02/2004	13	ORDER granting [12-1] joint motion to Extend Time for discovery reset Discovery completion deadline to 5/3/04 , reset Motion Filing deadline to 6/17/04 (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 03/02/2004)
03/02/2004	14	CONSENT PROTECTIVE ORDER regarding confidential, private, financial, personal and business information of Cagle's, Inc. (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 03/02/2004)
04/23/2004	15	RESPONSE by Cagle's Inc. in opposition to plaintiff's Notice of Rule 30(b)(6) deposition (dcp) (Entered: 04/27/2004)
04/28/2004	16	JOINT MOTION by EEOC, April Lepera to Extend Time for discovery (dcp) (Entered: 04/29/2004)
04/29/2004		MOTION(S) submitted: submitted [16-1] joint motion to Extend Time for discovery ; Original case file and motion sent to Judge Wilbur D. Owens Jr. with proposed Order. (dcp) (Entered: 04/29/2004)
05/03/2004	17	NOTICE of Rule 30(b)(6) deposition by EEOC (dcp) (Entered: 05/03/2004)
05/04/2004	18	ORDER granting [16-1] joint motion to Extend Time for discovery reset Discovery completion deadline to 6/3/04 , reset Motion Filing deadline to 7/19/04 (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 05/04/2004)
07/16/2004	19	MOTION by Cagle's Inc. for Summary Judgment Response due by 8/9/04 Reply to Response due by 8/25/04 for [19-1] motion (hrm) (Entered: 07/16/2004)
07/16/2004	20	MEMORANDUM by Cagle's Inc. in support of [19-1] motion for Summary Judgment (hrm) (Entered: 07/16/2004)
08/02/2004		DEADLINE updated; Response to Motion reset to 8/23/04 for [19-1] motion for Summary Judgment , Reply to Response to Motion reset to 9/10/04 for [19-1] motion for Summary Judgment pursuant to telephone request from Marcus

		Keegan. Letter of confirmation to follow. (dcp) (Entered: 08/02/2004)
08/05/2004	21	RESPONSE/Notice of Objection by EEOC, April Lepera to [19-1] motion for Summary Judgment (dcp) (Entered: 08/05/2004)
08/05/2004		DEADLINE updated; Reply to Response to Motion reset to 8/23/04 for [19-1] motion for Summary Judgment (dcp) (Entered: 08/05/2004)
08/05/2004		DEADLINE updated; Response to Motion reset to 8/20/04 for [19-1] motion for Summary Judgment , Reply to Response to Motion reset to 9/7/04 for [19-1] motion for Summary Judgment pursuant to telephone request from Charlie Cox's Office. Letter of confirmation to follow. (dcp) (Entered: 08/05/2004)
08/20/2004		DEADLINE updated; Response to Motion reset to 8/25/04 for [19-1] motion for Summary Judgment , Reply to Response to Motion reset to 9/13/04 for [19-1] motion for Summary Judgment pursuant to telephone conversation with David in Charles Cox's office and per C. Freeman. (dcp) (Entered: 08/20/2004)
08/20/2004	22	RESPONSE by EEOC to [19-1] motion for Summary Judgment (dcp) (Entered: 08/20/2004)
08/20/2004	23	STATEMENT OF DISPUTED Material Facts by plaintiff EEOC Re: [19-1] motion for Summary Judgment (dcp) (Entered: 08/20/2004)
08/20/2004	24	RESPONSE by EEOC to defendants' statement of undisputed material facts (dcp) (Entered: 08/20/2004)
08/25/2004	25	RESPONSE by April Lepera to [19-1] motion for Summary Judgment (dcp) (Entered: 08/25/2004)
08/25/2004	26	CERTIFICATION of Need to File Discovery by EEOC in support of [19-1] motion for Summary Judgment (ssa) (Entered: 08/25/2004)
08/25/2004	27	DEPOSITION filed by EEOC of deponent(s): Alan Habegger on 5/3/04 court reporter: Stephanie Watkins (ssa) (Entered: 08/25/2004)
08/25/2004	28	NOTICE/Request for plaintiff and defendant to file original discovery materials by April Lepera (dcp) (Entered: 08/26/2004)
08/26/2004	29	RESPONSE by Cagle's Inc. in opposition to [21-1] motion response (dcp) (Entered: 08/26/2004)
08/26/2004	30	MOTION by Marcus G. Keegan to Withdraw as Attorney for plaintiff EEOC. (dcp) (Entered: 08/26/2004)
08/26/2004		MOTION(S) submitted: submitted [30-1] motion to Withdraw as Attorney ; Original case file and motion sent to Judge Wilbur D. Owens Jr. (dcp) (Entered: 08/26/2004)
08/27/2004	31	MOTION by Cagle's Inc. for Leave to File Statement of Undisputed Material Facts Out of Time and Memorandum in Support (cma) (Entered: 08/27/2004)
08/27/2004		MOTION(S) submitted: submitted [31-1] motion for Leave to File Statement of Undisputed Material Facts Out of Time and Memorandum in Support ; Original case file and motion sent to Judge Wilbur D. Owens Jr. (cma) (Entered: 08/27/2004)

09/01/2004	32	ORDER granting [31-1] motion for Leave to File Statement of Undisputed Material Facts Out of Time and Memorandum in Support (signed by Judge Wilbur D. Owens Jr.) (hrm) (Entered: 09/01/2004)
09/01/2004	33	UNOPPOSED MOTION by EEOC to Exceed Page Limit on response to motion for summary judgment (hrm) (Entered: 09/01/2004)
09/01/2004		MOTION(S) submitted: submitted [33-1] motion to Exceed Page Limit on response to motion for summary judgment ; Original case file and motion sent to Judge Wilbur D. Owens Jr. (hrm) (Entered: 09/01/2004)
09/01/2004	34	ORDER granting [30-1] motion to Withdraw as Attorney (signed by Judge Wilbur D. Owens Jr.) (cma) (Entered: 09/01/2004)
09/02/2004	35	ORDER granting [33-1] motion to Exceed Page Limit on response to motion for summary judgment (signed by Judge Wilbur D. Owens Jr.) (hrm) (Entered: 09/02/2004)
09/07/2004	36	REPLY by Cagle's Inc. to response to [19-1] motion for Summary Judgment (dcp) (Entered: 09/08/2004)
09/08/2004		MOTION(S) submitted: submitted [19-1] motion for Summary Judgment ; Original case file and motion sent to Judge Wilbur D. Owens Jr. (dcp) (Entered: 09/08/2004)
09/10/2004	37	RESPONSE by EEOC to [31-1] motion for Leave to File Statement of Undisputed Material Facts Out of Time and Memorandum in Support (dcp) (Entered: 09/10/2004)
09/15/2004	38	REPLY by Cagle's Inc. to response to [19-1] motion for Summary Judgment (hrm) (Entered: 09/15/2004)
09/15/2004	39	RESPONSE by Cagle's Inc. in opposition to [25-1] motion response (hrm) (Entered: 09/15/2004)
09/30/2004	40	ORDER allowing plaintiff to respond to defendant's statement of undisputed material facts by 10/8/04 set Notice of Compliance deadline to 10/8/04 (signed by Judge Wilbur D. Owens Jr.) (dcp) (Entered: 09/30/2004)
10/08/2004	41	BRIEF/Response to Defendant's Statement of Undisputed Material Facts by Equal Employment Opportunity Commission. (dcp,) (Entered: 10/08/2004)
10/08/2004	42	Statement of Disputed Material Facts re 19 Motion for Summary Judgment filed by April Lepera. (Cox, Charles) (Entered: 10/08/2004)
02/01/2005	43	ORDER granting 19 Motion for Summary Judgment . Signed by Judge Wilbur D. Owens Jr. on 2/1/05. (dcp,) (Entered: 02/01/2005)
02/01/2005	44	JUDGMENT in favor of defendant against plaintiff Deposition Disposal Letter due by 4/11/2005. (dcp,) (Entered: 02/01/2005)
02/01/2005		CERTIFICATE OF SERVICE - I certify that on this date I have mailed by United States Postal Service a copy of 43 Order on Motion for Summary Judgment, 44 Judgment including any attachments filed with this document to all non-CM/ECF participants as indicated on the Notice of Electronic Filing. By dcp, Deputy Clerk. (dcp,) (Entered: 02/01/2005)

02/10/2005	45	BILL OF COSTS by Cagle's Inc.. Response to Bill of Costs due by 3/7/2005 (Attachments: # 1 Exhibit Transcript invoices)(Stine, James) (Entered: 02/10/2005)
02/11/2005	46	MOTION for Reconsideration re 43 Order on Motion for Summary Judgment by Equal Employment Opportunity Commission filed by S. Robert Royal. Response to Motion due by 2/24/2005 (Royal, S.) (Entered: 02/11/2005)
02/15/2005	47	ORDER denying 46 Motion for Reconsideration and granting Motion for Leave to File Memorandum in Excess of the Five Page Limit. . Signed by Judge Wilbur D. Owens Jr. on 2/15/05. (dcp,) (Entered: 02/15/2005)
02/18/2005	48	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Motion for Reconsideration. (dcp,) (Entered: 02/18/2005)
03/03/2005	49	NOTICE OF APPEAL as to 43 Order on Motion for Summary Judgment, 44 Judgment by April Lepera. Transcript Information Form due by 3/21/2005. (Cox, Charles) (Entered: 03/03/2005)
03/04/2005		USCA Appeal Fees received \$ 255 receipt number 518441 re 49 Notice of Appeal filed by April Lepera, (dcp,) (Entered: 03/04/2005)
03/04/2005	50	Letter of Transmittal re 49 Notice of Appeal. Certified Copy of Notice of Appeal, Docket Sheet, Order and Judgment, tabs [43,44,46,47,49] mailed to USCA. NOTICE: A Civil Appeal Statement must be filed with the Court of Appeals. A copy of this form may be obtained from the District Clerk's Office or the district court internet site (www.gamd.uscourts.gov). (dcp,) (Entered: 03/04/2005)
03/11/2005	51	USCA Case Number 05-11213-B re 49 Notice of Appeal filed by April Lepera,. (dcp,) (Entered: 03/11/2005)
03/29/2005	52	TAXATION OF COSTS in the amount of \$ 2,288.31 against Equal Employment Opportunity Commission, April Lepera (dcp,) (Entered: 03/29/2005)
03/29/2005		CERTIFICATE OF SERVICE - I certify that on this date I have mailed by United States Postal Service a copy of 52 Taxation of Costs including any attachments filed with this document to all non-CM/ECF participants as indicated on the Notice of Electronic Filing. By dcp, Deputy Clerk. (dcp,) (Entered: 03/29/2005)
04/15/2005	53	NOTICE OF APPEAL as to 47 Order on Motion for Reconsideration, 43 Order on Motion for Summary Judgment, 44 Judgment by Equal Employment Opportunity Commission. Transcript Information Form due by 5/2/2005. (Royal, S.) (Entered: 04/15/2005)
04/15/2005	54	Letter of Transmittal re 53 Notice of Appeal. Certified Copy of Notice of Appeal, Docket Sheet, Order and Judgment mailed to USCA. NOTICE: A Civil Appeal Statement must be filed with the Court of Appeals. A copy of this form may be obtained from the District Clerk's Office or the district court internet site (www.gamd.uscourts.gov). (dcp,) (Entered: 04/15/2005)
04/28/2005	55	TRANSCRIPT INFORMATION FORM by Equal Employment Opportunity Commission. re 53 Notice of Appeal NO TRANSCRIPTS ORDERED (dcp,) (Entered: 04/28/2005)

04/28/2005	56	Certificate of Readiness of Record on Appeal forwarded to USCA re 49 Notice of Appeal, 53 Notice of Appeal (Attachments: # 1 docket)(dcp,) (Entered: 04/28/2005)
08/11/2005	57	Certified and Transmitted Record on Appeal to US Court of Appeals re 53 Notice of Appeal (nop) (Entered: 08/11/2005)
04/11/2006	58	USCA Appellate JUDGMENT affirmed district court as to 49 Notice of Appeal filed by April Lepera,, 53 Notice of Appeal filed by Equal Employment Opportunity Commission, (dcp,) (Entered: 04/11/2006)
04/11/2006		CERTIFICATE OF SERVICE - I certify that on this date I have mailed by United States Postal Service a copy of 58 USCA Appellate Judgment including any attachments filed with this document to all non-CM/ECF participants as indicated on the Notice of Electronic Filing. By dcp, Deputy Clerk. (dcp,) (Entered: 04/11/2006)
04/11/2006	59	NOTICE TO COUNSEL: This case has been closed, therefore deposition transcripts filed in paper form in this case, with the exception of those filed by court reporters or any other transcripts filed electronically, will be destroyed unless the filer(s) of those documents make arrangements with the Clerk's Office to retrieve them before the scheduled disposal date. Depositions to be destroyed on 4/25/2006. (dcp,) (Entered: 04/11/2006)

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