

[Court Home](#) [Case Search](#) [XML](#) [ASCII](#)

[Logout](#) [Help](#)

**General Docket
Eighth Circuit Court of Appeals**

Court of Appeals Docket #: 05-4183

Filed: 11/29/2005

Nsuit: 1442 Jobs

Termed: 11/17/2006

EEOC v. Dial Corporation

Appeal From: U.S. District Court for the Southern District of Iowa - Davenport

Case Type Information:

- 1) Civil
- 2) United States as a party
- 3) null

Originating Court Information:

District: 0863-3 : 3:02-cv-10109 REL

Court Reporter: Jackie Sinnott, Court Reporter

Trial Judge: Ronald E. Longstaff, U.S. District Judge

Date Filed: 09/24/2002

Date Order/Judgment:

09/29/2005

Date NOA Filed:

11/23/2005

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Cross-appeal	05-4183	05-4311	12/09/2005	

Equal Employment Opportunity Commission
Plaintiff - Appellee

Rosemary Fox
Direct: 414-297-4188
[COR LD NTC Government]
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Supervisory Trial Attorney
310 W. Wisconsin Avenue
Suite 800
Milwaukee, WI 53203-2292

Jean P. Kamp
Direct: 414-297-4188
[COR LD NTC Government]
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Regional Attorney
301 W. Wisconsin Avenue
Suite 800

Milwaukee, WI 53203-2292

Susan R. Oxford
[COR LD NTC Government]
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Headquarters
Firm: 202-663-4900
1801 L Street, N.W.
Washington, DC 20507-0000

Deborah J. Powers
Direct: 414-297-3983
[COR LD NTC Government]
EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Milwaukee District Office
310 W. Wisconsin Avenue
Suite 800
Milwaukee, WI 53203-2292

v.

Dial Corporation
Defendant - Appellant

Kevin J. Driscoll
[COR LD NTC Retained]
FINLEY & ALT
Firm: 515-288-0145
699 Walnut Street
1900 Hub Tower
Des Moines, IA 50309-0000

Anne Duprey
Direct: 312-346-8000
[COR LD NTC Retained]
SEYFARTH & SHAW
Firm: 312-460-5000
131 S. Dearborn Street
Suite 2400
Chicago, IL 60603-0000

Thomas James Joensen
[COR LD NTC Retained]
FINLEY & ALT
Firm: 515-288-0145
699 Walnut Street
1900 Hub Tower
Des Moines, IA 50309-0000

Camille A. Olson
Direct: 312-346-8000

[COR LD NTC Retained]
 SEYFARTH & SHAW
 Firm: 312-460-5000
 131 S. Dearborn Street
 Suite 2400
 Chicago, IL 60603-0000

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Plaintiff - Appellee

v.

DIAL CORPORATION

Defendant - Appellant

11/29/2005 Civil Case Docketed. Dist. Ct. Office: SI Des Moines

11/29/2005 CERTIFIED copies notice of appeal, docket entries, Orders & Judgment filed 9/29/05 [05-4183] [1980249]

11/29/2005 BRIEFING SCHEDULE: [05-4183] Transcript due on 1/9/06 Apndx due on 1/18/06 Aplnt brief due on 1/18/06 Aplee brief due on 2/17/06 reply brief due on 3/3/06

12/05/2005 APPEARANCE for appellant, attorney Kevin J. Driscoll [05-4183] [1982434]

12/07/2005 APPEARANCE for appellant, attorney Camille A. Olson [05-4183] [1983286]

12/07/2005 APPEARANCE for appellant, attorney Anne Duprey [05-4183] [1983287]

12/07/2005 RECORDS received: Transcript, consisting of 2 Volumes. (1 vol. of hearing held on 8/11/2004 and 1 vol. of hearing held on 9/6/2005) Location STL. [05-4183]

12/07/2005 Corporate Disclosure Statement filed. Filed by Dial Corporation FOR CAL.

12/09/2005 CROSS APPEAL BRIEFING SCHEDULE: Transcript due on 1/18/06 Appendix due on 1/30/06 Aplnt brief due on 1/30/06, Aplee/cr. Aplnt brief due on 2/27/06, Reply brief of aplnt/cr. aplee due on 3/29/06, Reply brf aplee/cr. aplnt due 4/12/06, [05-4311, 05-4183]

01/19/2006 RECORDS received: Transcript, consisting of 6 Volumes of trial held on 8/16/2004 - 8/25/2004 - vols. I, II, III, IV, V, and VI. Location STL. [05-4183, 05-4311]

01/20/2006 RECORDS received: Transcript, consisting of 5 Volumes of trial held on 8/16/2004 - 8/19/2004 - all volumes are labeled partial transcript of trial. Location STL. [05-4183, 05-4311]

01/20/2006 RECORDS received: Exhibits, Located in: STL, consisting of one box containing 3 three ring binders containing Plaintiff's, Defendant's, and Joint exhibits. [Return to the District Court at end of case] [05-4183, 05-4311]

01/20/2006 MOTION of aplnt, Dial Corporation in 05-4183, 05-4311 , for extension of time to file brief until 2/13/06 . [05-4183, 05-4311] [1999839] w/service 1/20/06

01/20/2006 ORDER filed:granting appellant motion for extension of time to file brief [1999839-1] [1999840] in 05-4183, 05-4311 Aplnt brief now due on 2/13/06


01/23/2006 RECORDS received: Transcript, consisting of 1 Volume of telephone hearing held on 2/28/2005. Location STL. [05-4183, 05-4311]

01/26/2006 APPEARANCE for appellee, attorney Susan R. Oxford [05-4183] [2002827]

01/31/2006 RECORDS received: Transcript, consisting of 1 Volume of closing arguments held on 8/20/2004. Location STL. [05-4183, 05-4311]

02/07/2006 MOTION of aplnt, Dial Corporation in 05-4183, 05-4311 , for extension of time to file brief until 2/21/06 . [05-4183, 05-4311] [2007370] w/service 2/7/06

02/08/2006 ORDER filed:granting appellant's motion for extension of time to file brief [2007370-1] [2007374] Aplnt brief now due on 2/21/06 in 05-4183, in 05-4311 .

02/22/2006  BRIEF FILED - Brief of Appellant- Dial Corporation in 05-4183, 05-4311 13,967 words w/addendum 10 copies - w/service 2/21/06 w/cd . [05-4183, 05-4311] [2013525]


02/22/2006 RECORDS received: Joint Appendix, consisting of 1 Volume 3 copies. [05-4183, 05-4311]

03/17/2006 MOTION of aplee, EEOC in 05-4183, EEOC in 05-4311 , for extension of time to file brief until 4/10/06 . [05-4183, 05-4311] w/service 3/17/06

03/20/2006 ORDER filed:granting appellee motion extension of time to file second brief. [2022508-1] [2022509] in 05-4183, 05-4311 Aplee/cr. aplnt brief now due on 4/10/06 in 05-4183, in 05-4311


03/30/2006 MOTION of aplee, EEOC in 05-4183, 05-4311 , for extension of time to file brief until 4/24/06 . [05-4183, 05-4311] w/service 3/30/06

03/31/2006 ORDER filed:granting appellee's motion extension of time to file second brief. [2027621-1] [2027623] in 05-4183, 05-4311 Aplee/cr. aplnt brief now due on 4/24/06 in 05-4183, in 05-4311

04/25/2006  BRIEF FILED - Brief of Aplee/cr. Aplnt - EEOC in 05-4183 and 05-4311. 16496 words - w/addendum - 10 copies - w/service 4/24/06 (mail). Defects: diskette does not contain body of brief [05-4183, 05-4311] [2037772]

04/26/2006 New Diskette requested. [05-4183, 05-4311]

04/28/2006 Corrected disk rec'd for brief of EEOC in 05-4183 and 05-4311 [05-4183, 05-4311]

05/31/2006  BRIEF FILED - Reply Brief of Aplnt/cr. Aplee - Dial Corporation in 05-4183, 05-4311 . 13,374 words - - 10 copies - w/service 5/30/06 . w/cd [05-4183, 05-4311] [2050753]


06/06/2006 TO SCREENING to rw. [05-4311, 05-4183]

06/09/2006 RETURNED from Screening (20) [05-4311, 05-4183]

06/13/2006 Brief Correction(s) received from Appellant Dial Corporation in 05-4183, 05-4311 . Correction(s): cert. of service. [05-4183, 05-4311]

06/15/2006 MOTION of aplee, EEOC in 05-4183, 05-4311 , for extension of time to file fourth brief until 6/23/06 . [05-4183, 05-4311] w/service 6/15/06


06/15/2006 ORDER filed:granting appellee's motion ext. of time to file fourth brief [2057195-1] [2057197] in 05-4183, 05-4311 Aplee/cr. Aplnt reply brief now due on 6/23/06 in 05-4183, in 05-4311

06/23/2006  BRIEF FILED - Reply Brief of Aplee/cr. Aplnt - EEOC in 05-4183, 05-4311 . 6,159 words - - 10 copies - w/service 6/22/06 . w/diskette [05-4183, 05-4311] [2061278]

07/12/2006 Corrected disk rec'd for brief of Dial Corporation in 05-4183, 05-4311 [05-4183, 05-4311]


08/24/2006 *SET FOR ARGUMENT* - September, 2006 in St. Louis.


09/25/2006 ARGUED AND SUBMITTED IN ST. LOUIS TO JUDGES Diana E. Murphy, Circuit Judge, David R. Hansen, Circuit Judge, William J. Riley, Circuit Judge . Camille A. Olson for Appellant Dial Corporation in 05-4183, Camille A. Olson for Appellee Dial Corporation in 05-4311 . Susan R. Oxford for Appellee EEOC in 05-4183, Susan R. Oxford for Appellant EEOC in 05-4311 . Rebuttal by: Ms. Olson . RECORDED. [05-4183, 05-4311]

11/17/2006  THE COURT: Diana E. Murphy, David R. Hansen, William J. Riley. OPINION FILED by Diana E. Murphy, Authoring Judge PUBLISHED. [05-4183, 05-4311] [2110517]

11/17/2006 JUDGMENT: Diana E. Murphy, David R. Hansen, William J. Riley. The judgment of the lower court is AFFIRMED and REMANDED in accordance with the opinion. [05-4183, 05-4311] [2110520]

12/01/2006 MOTION of aplee/cross-appellant, EEOC in 05-4183/4311, to recover costs in the amount of \$385.00. [05-4183, 05-4311] [2116022] w/service 11/30/06

01/03/2007  JUDGE ORDER:Granting [2116022-2] appellee/cross-appellant motion for bill of cost filed by Appellee/Cross-Appellant EEOC. Amount of costs granted: \$385.00 [3264294] [05-4183, 05-4311]

02/01/2007  MANDATE ISSUED. [05-4183, 05-4311]

PACER Service Center

Transaction Receipt

08/01/2007 11:23:23

PACER Login:	hs0328	Client Code:	eeoc
Description:	Full Docket Report	Search Criteria:	05-4183
Billable Pages:	2	Cost:	0.16