

ASHMAN, PROTO, TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:99-cv-04100

EEOC v. Bernina of Amer
Assigned to: Hon. David H. Coar
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/21/1999
Date Terminated: 08/24/2000
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

EEOC

represented by **John A. Knight**
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V.

Defendant

Bernina of America

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Date Filed	#	Docket Text
06/21/1999	1	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of John C. Hendrickson, Ines M. Monte, Jose Jorge Behar, John A. Knight as attorney(s) for plaintiff (No summons(es) issued.) (Documents: 1-1 through 1-3) (mbw) (Entered: 06/22/1999)
07/13/1999	2	WAIVER of service of summons as to defendant sent on 6/21/99 (mbw) (Entered: 07/14/1999)
08/19/1999	5	MINUTE ORDER of 8/19/99 by Hon. David H. Coar : Rule 16(b) scheduling conference set for 10:00 a.m. on 9/24/99 in chambers. The court hereby opts into Rule 16(a)(1) for purposes of this case. Proposed discovery plan pursuant to Rule 26(f) and proposed scheduling order pursuant to Rule 16(b) to be filed in

		chambers. (See reverse of minute order. See attached forms for report of planning conference and proposed scheduling order.) Mailed notice (mbw) Modified on 08/25/1999 (Entered: 08/24/1999)
08/20/1999	3	ATTORNEY APPEARANCE for defendant by William George Miossi and John E. Bucheit. (mbw) (Entered: 08/23/1999)
08/20/1999	4	ANSWER by defendant to complaint and additional defenses [1-1]. (mbw) (Entered: 08/23/1999)
09/23/1999	6	REPORT of parties planning conference. (mbw) (Entered: 09/29/1999)
09/24/1999		SCHEDULE set on 9/24/99 by Hon. David H. Coar : Rule 16(b) scheduling conference held. All disclosures required by Rule 26(a)(1) shall be made on or before 10/1/99. Any amendments to pleadings or actions to join other parties shall be filed on or before 12/31/99. Discovery ordered closed on 4/3/2000. The parties shall disclose expert testimony pursuant to Rule 26(a)(2) on or before 4/17/2000. The parties may depose the other side's expert at any time prior to 5/22/2000. The parties shall disclose any rebuttal expert pursuant to Rule 26(a)(2)(c) at any time prior to 6/5/2000. The parties shall have until 7/3/2000 to depose the opposing party's rebuttal expert. The parties are granted leave to take up to 15 despositions without leave of court. Motion dispositive is due 5/3/2000 Pretrial order to be submitted on 8/31/2000. Pretrial conference set to 2:00 9/8/2000. Trial set to 10:00 9/25/2000 . Mailed notice (pm) Modified on 09/28/1999 (Entered: 09/28/1999)
11/24/1999	7	AGREED MOTION by plaintiff for entry of agreed protective order and stipulation ; Notice. (mbw) Modified on 12/07/1999 (Entered: 12/03/1999)
11/29/1999		SCHEDULE set on 11/29/99 by Hon. David H. Coar : Noticed motion scheduled for 9:15 12/2/99 No notice (pm) (Entered: 11/29/1999)
12/02/1999	8	MINUTE ORDER of 12/2/99 by Hon. David H. Coar : Agreed motion for entry of Agreed Protective Order and Stipulation is granted. [7-1] Enter Agreed Protective Order and Stipulation regarding certain documents or other materials that may be produced in connection with this lawsuit involving financial, medical, personnel, psychological or proprietary information that is confidential and private and labeled as "Confidential" (Entered Agreed Protective Order and Stipulation) No notice (mbw) (Entered: 12/03/1999)
12/07/1999	10	MOTION by defendant for leave to amend answer to add additional defense ; Notice. (mbw) (Entered: 12/27/1999)
12/15/1999		SCHEDULE set on 12/15/99 by Hon. David H. Coar : Noticed motion scheduled for 9:15 12/20/99 No notice (pm) (Entered: 12/15/1999)
12/15/1999		SCHEDULE set on 12/15/99 by Hon. David H. Coar : Noticed motion scheduled for 9:15 12/21/99 No notice (pm) (Entered: 12/15/1999)
12/21/1999	9	AMENDED ANSWER and additional defenses by defendant to complaint [1-1]. (mbw) (Entered: 12/22/1999)
12/21/1999	11	MINUTE ORDER of 12/21/99 by Hon. David H. Coar : Defendant's motion for leave to amend answer to add additional defense is granted. [10-1] No notice (mbw) (Entered: 12/27/1999)

04/12/2000	12	MOTION by defendant requesting settlement conference and to extend deadlines ; Notice (fce) (Entered: 04/19/2000)
04/17/2000	13	MINUTE ORDER of 4/17/00 by Hon. David H. Coar : Defendant's motion requesting settlement conference and to extend deadlines is granted [12-1] in part and enied in part. The Court will refer this matter to the Magistrate Judge for settlement. Motion to extend deadlines is denied [12-2]. Mailed notice (fce) (Entered: 04/19/2000)
04/28/2000	14	REFERRAL ORDER of 4/28/00 The case is referred to the Hon. Arlander Keys from Hon. David H. Coar for settlement conference. (For further detail see order.) Mailed notice (fce) (Entered: 05/03/2000)
05/03/2000	15	MOTION by plaintiff for partial summary judgment ; Memorandum in support (Attachments) ; Notice (fce) (Entered: 05/12/2000)
05/03/2000	16	STATEMENT of undisputed facts by plaintiff (fce) (Entered: 05/12/2000)
05/03/2000	17	DECLARATION of Monique Debusmann (Attachments) (fce) (Entered: 05/12/2000)
05/11/2000		SCHEDULE set on 5/11/00 by Hon. Arlander Keys : Settlement conference set for 6/14/00 at 10:00 a.m. Unnamed Plaintiffs on whose behalf the EEOC filed the Complaint herein are to be present at the settlement conference. Defendant is directed to have someone in attendance (other than its attorneys) with full authority to settle the case. The parties will exchange settlement proposals with copies thereof sent to the Court by 6/12/00. Mailed notice (vkd) (Entered: 05/11/2000)
05/11/2000	18	MINUTE ORDER of 5/11/00 by Hon. David H. Coar : Answer brief to EEOC's motion for partial summary judgment [15-1] due 5/25/00. Reply to answer brief due 6/1/00. Ruling on EEOC's motion for partial summary judgment [15-1] set for 9:30 a.m. on 6/13/00. Mailed notice (fce) (Entered: 05/12/2000)
05/11/2000	19	DECLARATION of Monique Debusmann (Attachments); Notice of filing. (fce) (Entered: 05/12/2000)
05/18/2000	20	MOTION by plaintiff to reset date for settlement conference (Attachments); Notice of motion (eav) (Entered: 05/24/2000)
05/22/2000	21	MINUTE ORDER of 5/22/00 by Hon. Arlander Keys : Plaintiff's motion to reset date for settlement conference is granted. [20-1] Settlement conference set for 6/14/00 at 10:00 a.m. is stricken. The parties will confer and notify the Court by close of business 5/24/00 as to some mutually agreed upon dates for the settlement conference. The plaintiffs who reside in Illinois will be required to attend the settlement conference in person. Mailed notice (eav) (Entered: 05/24/2000)
05/25/2000	22	MEMORANDUM by Bernina of Amer in opposition to plaintiff's motion for partial summary judgment [15-1] (jmp) (Entered: 05/26/2000)
05/25/2000	23	RULE 56.1(b) RESPONSE by Bernina of Amer to plaintiff's statement of material facts not in dispute (jmp) (Entered: 05/26/2000)

05/25/2000	24	RULE 56.1(b) Statement of additional material facts as to which there are no genuine issues requiring denial of plaintiff's motion for summary judgment by Bernina of Amer (jmp) (Entered: 05/26/2000)
05/25/2000	25	DECLARATION of William Moissi (Attachments) (jmp) (Entered: 05/26/2000)
05/31/2000	26	DECLARATION of William Miozzi; Notice (fce) (Entered: 06/01/2000)
06/01/2000	27	REPLY by plaintiff in support of EEOC's motion for partial summary judgment [15-1] ; Declarations of John A. Knight and Monique Debusmann (Attachments); Notice (fce) Modified on 06/05/2000 (Entered: 06/05/2000)
06/01/2000	28	STATEMENT of facts in reply to defendant's statement of additional facts by plaintiff (fce) (Entered: 06/05/2000)
06/02/2000		SCHEDULE set on 6/2/00 by Hon. Arlander Keys : Settlement conference set for 7/12/00 at 9:30 a.m. The parties will exchange settlement proposals with copies thereof sent to the Court by 7/10/00. Mailed notice (vkd) Modified on 06/05/2000 (Entered: 06/02/2000)
06/13/2000	29	MINUTE ORDER of 6/13/00 by Hon. David H. Coar : For the reasons stated in the attached memorandum opinion and order, the EEOC's motion for partial summary judgment is granted [15-1]. Entered Memorandum Opinion and Order. No notice (fce) (Entered: 06/13/2000)
06/15/2000	30	ATTORNEY APPEARANCE for plaintiff by Ethan M.M. Cohen; Notice (fce) (Entered: 06/19/2000)
06/15/2000	31	MOTION by plaintiff for leave to file supplemental complaint instanter and to reopen discovery ; Notice (fce) (Entered: 06/22/2000)
06/21/2000	32	MINUTE ORDER of 6/21/00 by Hon. David H. Coar : EEOC's motion for leave to file supplemental complaint instanter [31-1] and to reopen discovery is denied [31-2]. Mailed notice (fce) (Entered: 06/22/2000)
07/12/2000		SCHEDULE set on 7/12/00 by Hon. David H. Coar : The parties having settled this case before Judge Keys, a Status hearing is set for 9:30 7/27/00 regarding the completion of the settlement papers. Mailed notice (pm) (Entered: 07/12/2000)
07/12/2000	33	MINUTE ORDER of 7/12/00 by Hon. Arlander Keys : Settlement conference held. The parties agreed to the terms of a settlement, which will include the entry of a consent judgment and which will take some time to draft and execute. Plaintiffs estimate that it could take up to approximately 60 days to effectuate and present to the district court. The Court commends all parties for their willingness to compromise in order to settle this case. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Terminating the case referral to Hon. Arlander Keys. Mailed notice (fce) (Entered: 07/13/2000)
07/27/2000		SCHEDULE set on 7/27/00 by Hon. David H. Coar : Status hearing held and continued to 9:30 8/22/00. Mailed notice (pm) (Entered: 07/27/2000)
08/22/2000		SCHEDULE set on 8/22/00 by Hon. David H. Coar : Status hearing held and continued to 9:30 8/31/00 . Mailed notice (pm) (Entered: 08/24/2000)

08/24/2000	34	MINUTE ORDER of 8/24/00 by Hon. David H. Coar : The parties having announced settlement in open court on 8/22/00, this action is dismissed with leave to reinstate within thirty (30) days. Terminating case. No notice (fce) (Entered: 08/30/2000)
08/31/2000		SCHEDULE set on 8/31/00 by Hon. David H. Coar : No notice (pm) (Entered: 08/31/2000)
09/06/2000	35	MINUTE ORDER of 9/6/00 by Hon. Arlander Keys : Settlement conference held. The problems regarding the consent decree were resolved. The parties will be able to submit a consent decree to the district court within a week to ten days. Mailed notice (fce) (Entered: 09/08/2000)
09/29/2000	36	MOTION by plaintiff for entry of consent decree ; Notice (fce) (Entered: 10/06/2000)
10/05/2000	37	MINUTE ORDER of 10/5/00 by Hon. David H. Coar : This case is reinstated. Plaintiff's motion for entry of consent decree is granted [36-1]. Bernia will implement a revised policy with respect to sick leave benefits. Bernia will pay \$105,000 as monetary relief representing damages to four present or former employees. Bernia will not discriminate on the basis of sex (pregnancy in the futre). This action is closed. Copies of the consent dree given to the parties in court. (Attachments) (Entered Consent Decree, Notice to all Bernina Employees.) Mailed notice (fce) (Entered: 10/06/2000)

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