

CJRA_C, CLOSED, FRC, MKC

U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:00-cv-00770-DRH

EEOC v. Greenville Ford
Assigned to: Judge David R Herndon
Demand: \$0
Cause: 1:102 Americans with Disabilities Act

Date Filed: 09/28/2000
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C. Gregory Stewart**
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V.

Defendant

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Date Filed	#	Docket Text
09/28/2000	1	COMPLAINT (fe) (Entered: 09/28/2000)
09/28/2000	2	ATTORNEY APPEARANCE for plaintiff EEOC by Ines M. Monte (fe) (Entered: 09/28/2000)
09/28/2000	3	ATTORNEY APPEARANCE for plaintiff EEOC by Gordon G. Waldron (fe) (Entered: 09/28/2000)
09/28/2000	4	ATTORNEY APPEARANCE for plaintiff EEOC by Jose' J. Behar (fe) (Entered: 09/28/2000)
09/28/2000		Magistrate identification: Mag/Judge Clifford J. Proud (fe) (Entered: 09/28/2000)
01/04/2001	5	ATTORNEY APPEARANCE for defendant by Daniel F. Goggin (dmw) (Entered: 01/08/2001)
01/04/2001	6	ANSWER by defendant to [1-1] (dmw) (Entered: 01/08/2001)
01/04/2001		WAIVER OF SERVICE executed upon defendant Greenville Ford on 1/3/01; date request sent 10/6/00 (dmw) (Entered: 01/08/2001)
01/16/2001	7	CJRA Track C assigned by Judge David R. Herndon; jury trial set for the month of 4/02 before Judge David R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (car) (Entered: 01/19/2001)
01/16/2001	8	NOTICE of Telephone Sched/Disc Conf set for 9:00 AM on 2/13/01 before Mag/Judge Clifford J. Proud in the USDC/East St. Louis, IL (cc: all counsel) (car) (Entered: 01/19/2001)
02/23/2001	9	SCHEDULING AND DISCOVERY ORDER by Mag/Judge Clifford J. Proud ;discovery ddl set 1/1/02; disp mtn filing ddl 2/15/02 (cc: all counsel) (dlr) (Entered: 02/27/2001)
02/23/2001	10	ORDER by Mag/Judge Clifford J. Proud setting settlement conf at 2:00 PM on 2/27/02 before Mag/Judge Clifford J. Proud in the USDC/East St. Louis, IL (cc: all counsel) (dlr) (Entered: 02/27/2001)
04/13/2001	11	MOTION by plaintiff EEOC to compel production of documents (fe) (Entered: 04/18/2001)
05/15/2001	12	ORDER by Mag/Judge Clifford J. Proud granting motion to compel production of documents; defendant Greenville Ford-Mercury shall produce, without objection, all documents sought by the EEOC's first request for production of documents on or before 6/1/01 [11-1] (cc: all counsel) (dlr) (Entered: 05/22/2001)
06/18/2001		WAIVER OF SERVICE executed upon defendant Greenville Ford on 1/3/01 ; date request sent 10/6/00 (dlr) (Entered: 06/18/2001)
06/22/2001	13	MOTION by plaintiff EEOC to hold defendant in contempt for failure to comply with Court's Order that it produce documents (myz) (Entered: 06/29/2001)
08/03/2001	14	MOTION by plaintiff to compel response to interrogatory , and for sanctions (dmw) (Entered: 08/09/2001)

10/12/2001	15	SECOND MOTION by plaintiff to compel production of documents (dmw) (Entered: 10/17/2001)
11/28/2001	16	ORDER by Mag/Judge Clifford J. Proud granting motion to compel response to interrogatory [14-1] and denying motion for sanctions [14-2]. Defendant shall respond, without objection, to First Interrogatory on or before 12/14/01. (cc: all counsel) (scj) (Entered: 11/29/2001)
11/28/2001	17	ORDER by Mag/Judge Clifford J. Proud re [13-1]. Defendant shall show cause why it should not be held in contempt for failure to comply with Court's 5/15/01 Order brief ddl set for 12/14/01 (cc: all counsel) (scj) (Entered: 11/29/2001)
11/28/2001	18	ORDER by Mag/Judge Clifford J. Proud granting motion to compel production of documents [15-1]. Defendant shall respond to Second Request for Production on or before 12/14/01 (cc: all counsel) (scj) (Entered: 11/29/2001)
12/13/2001		(Utility Event) - Terminating attorney Ines M. Monte for EEOC (dlr) (Entered: 12/13/2001)
12/18/2001	19	RESPONSE by defendant Greenville Ford to Court's Oder to show cause [17-2] (dlr) (Entered: 12/21/2001)
12/20/2001	20	REPLY by plaintiff EEOC in support of motion that defendant be held in contempt for failure to produce documents in a timely fashion re [13-1] (fe) (Entered: 12/26/2001)
01/02/2002	21	ORDER by Mag/Judge Clifford J. Proud ; it is ordered that defendant shall show cause on or before 1/15/02, why it should not be held in contempt for its failure to fully comply with this Court's 5/15/01, compulsion Order (cc: all counsel) (dlr) (Entered: 01/07/2002)
01/10/2002	22	MOTION IN REGARD TO DEFENDANT'S UNTIMELY DENIALS OF REQUESTS FOR ADMISSIONS by plaintiff EEOC to strike the untimely responses to paragraphs 8, 17, 18, 20, 27 and 29 of the requests for admission , and for an order that the requested matters are deemed admitted (dlr) (Entered: 01/16/2002)
01/24/2002	23	ORDER by Mag/Judge Clifford J. Proud that defendant Greenville Ford-Mercury shall be prohibited from opposing plaintiff's claims or supporting its own defenses which are premised upon Donald Holding's attendance record, manager Blankenship's report about a diabetes-related fainting spell, and any plan or decision to move or expand the Vandalia facility (see order for specifics) (cc: all counsel) (myz) (Entered: 01/29/2002)
02/05/2002	24	ORDER by Mag/Judge Clifford J. Proud granting motion to strike the untimely responses to paragraphs 8, 17, 18, 20, 27 and 29 of the requests for admission [22-1] granting motion for an order that the requested matters are deemed admitted [22-2] (see order for specifics) (cc: all counsel) (myz) (Entered: 02/11/2002)
02/12/2002	25	NOTICE of hearing final pretrl conf set for 1:30 PM on 4/12/02 before Judge David R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (pab) (Entered: 02/12/2002)

02/14/2002	26	COMBINED MOTION by defendant Greenville Ford to withdraw admissions and for modification (amend) of Court Order of 1/24/02 (myz) (Entered: 02/20/2002)
02/14/2002	26	RESPONSE by defendant Greenville Ford to Order to show cause [23-1][21-2][11-1] (myz) (Entered: 02/20/2002)
02/25/2002	27	RESPONSE by plaintiff EEOC to motion to withdraw admissions [26-1] and motion for modification [26-3] (scj) (Entered: 03/01/2002)
02/27/2002	28	ORDER by Mag/Judge Clifford J. Proud granting in part and denying in part defendant's combined motion to withdrawal (sic) admissions, for modification of Court order and for response to orders to show cause, re [26-1], [26-1], [26-3]. Court's order dated 2/4/02 [24-1] is vacated in part ...see order for details ... It is further ordered that defense counsel Daniel Goggin is sanctioned \$500.00 payable by 3/15/02 to District Court Fund (cc: all counsel, financial & Greenville Ford-Mercury) (dmw) (Entered: 03/06/2002)
02/27/2002	29	MINUTES (av) of hearing on settlement conference before Mag/Judge Clifford J. Proud ; Settlement conf held 2/27/02 Case did not settle (dmw) (Entered: 03/06/2002)
03/08/2002		(Utility Event) - Terminating attorney Jose' J. Behar for EEOC (dlr) (Entered: 03/11/2002)
03/14/2002	30	MOTION by defendant Greenville Ford to withdraw admissions (dlr) (Entered: 03/19/2002)
03/18/2002	31	COMBINED MOTION by defendant Greenville Ford to reopen discovery (order) , or in the alternative for an order barring certain evidence (dlr) (Entered: 03/26/2002)
03/18/2002	32	MOTION by plaintiff EEOC in limine (dlr) (Entered: 03/26/2002)
03/18/2002	33	MEMORANDUM by plaintiff EEOC in support of motion in limine [32-1] (dlr) (Entered: 03/26/2002)
03/19/2002	34	COMBINED MOTION by defendant Greenville Ford to reopen discovery (order) , or in the alternative for an order barring certain evidence (dlr) (Entered: 03/27/2002)
03/20/2002	35	RESPONSE by defendant Greenville Ford to motion in limine [32-1] (myz) (Entered: 03/27/2002)
03/25/2002	36	RESPONSE by plaintiff EEOC to motion to reopen discovery (order) [34-1], motion for an order barring certain evidence [34-2] (pab) (Entered: 03/28/2002)
03/25/2002	37	RESPONSE by plaintiff EEOC to second motion to withdraw admissions [30-1] (pab) (Entered: 03/28/2002)
04/03/2002	39	ORDER by Judge David R. Herndon denying motion to reopen discovery (order) [34-1], denying motion for an order barring certain evidence [34-2], denying motion to reopen discovery (order) [31-1], denying motion for an order barring certain evidence [31-2]; the Court reminds the parties that this matter is set for a final pretrial conference on 4/12/02 at 1:30 pm (cc: all counsel) (dlr) (Entered: 04/05/2002)

04/04/2002	38	ORDER by Mag/Judge Clifford J. Proud granting in part and denying in part motion to withdraw admissions [30-1]; default admission to request 27 shall stand; the default admission to request 29 is hereby withdrawn (cc: all counsel) (dlr) (Entered: 04/04/2002)
04/05/2002	40	ORDER by Judge David R. Herndon granting in part and denying in part motion in limine [32-1]; see order for specifics (cc: all counsel) (dlr) (Entered: 04/05/2002)
04/12/2002	41	ATTORNEY APPEARANCE for plaintiff EEOC by Gregory M. Gochanour (dlr) (Entered: 04/17/2002)
04/12/2002	42	MINUTES (pab) of hearing on final pretrial conference before Judge David R. Herndon; the Court takes under advisement the issue of the disclosure of certain witnesses ;jury trial set for 9:00 AM on 7/8/02 before Judge David R. Herndon in the USDC/East St. Louis, IL (dlr) (Entered: 04/17/2002)
04/12/2002	43	FINAL PRE-TRIAL ORDER by Judge David R. Herndon (cc: all counsel) (dlr) (Entered: 04/17/2002)
04/25/2002	44	MEMORANDUM by plaintiff in support of request that Court bar testimony of witnesses who were disclosed the day before the pre-trial order was entered [42-3] (dmw) (Entered: 04/30/2002)
06/26/2002	45	MOTION by defendant Greenville Ford to continue trial (myz) (Entered: 06/26/2002)
06/26/2002	46	ORDER by Judge David R. Herndon that the Court grants plaintiff's motion and bars the testimony of Bob Sybert, Bill Jasper, Dennis Hoefle and Mike Hueber. Further, the Court grants plaintiff's motion seeking to limit the testimony of Bob Grubaugh to only those matters covered in his deposition re [42-3] (cc: all counsel) (myz) (Entered: 06/26/2002)
06/26/2002	47	ORDER by Judge David R. Herndon granting motion to continue trial [45-1] ;jury trial reset for 9:00 AM on 7/22/02 before Judge David R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (dlr) (Entered: 06/27/2002)
06/26/2002	48	MOTION by plaintiff EEOC in regard to three jury instructions (dlr) (Entered: 07/01/2002)
07/08/2002	49	MOTION by plaintiff EEOC in limine to bar certain evidence (dlr) (Entered: 07/11/2002)
07/16/2002	50	MOTION by plaintiff EEOC in limine to bar evidence relating to a possible direct threat defense (dlr) (Entered: 07/16/2002)
07/22/2002	51	TRIAL MEMORANDUM (brief) submitted by plaintiff EEOC (dlr) (Entered: 07/29/2002)
07/22/2002	52	MINUTES (pab) of hearing on day 1 of jury trial before Judge David R. Herndon granting in part and denying in part motion in regard to three jury instructions [48-1], granting motion in limine to bar evidence relating to a possible direct threat defense [50-1], granting motion in limine to bar certain evidence [49-1] , ; Jury trial held 7/22/02 (C/R: Laura Blatz) (dlr) (Entered: 07/29/2002)

07/23/2002	53	MINUTES (pab) of hearing on day 2 of jury trial before Judge David R. Herndon; plaintiff's oral motion for directed verdict is denied (C/R: Laura Blatz) (dlr) (Entered: 07/29/2002)
07/24/2002	54	MINUTES (pab) of hearing on day 3 (last) of jury trial before Judge David R. Herndon; jury found that termination was because of disability; plaintiff is awarded compensatory damages in the amount of \$25,000.00 and punitive damages in the amount of \$60,000.00 (C/R: Jennifer Robertson) (dlr) (Entered: 07/29/2002)
07/24/2002	55	VERDICT for plaintiff EEOC against defendant Greenville Ford (dlr) (Entered: 07/29/2002)
07/24/2002	56	Stipulation for Release of Exhibits by plaintiff EEOC, defendant Greenville Ford (dlr) (Entered: 07/29/2002)
07/24/2002		JURY INSTRUCTIONS (1 envelope) (dlr) (Entered: 07/29/2002)
07/24/2002	57	ORDER by Judge David R. Herndon; the costs of the juror meals shall be borne by the USA (cc: all counsel) (dlr) (Entered: 07/29/2002)
08/06/2002	58	ORDER by Judge David R. Herndon; the Court directs the Clerk of the Court to enter judgment in favor of plaintiff and against defendant in the amount of \$14,706.00 in compensatory damages for emotional harm; \$35,294.00 in punitive damages, \$526.00 in back pay and interest, and \$949.00 in compensatin for medical expenses; the Court further directs the Clerk of the Court to enter judgment in favor of plaintiff and against defendant for the injunctive relief ordered herein terminating case (cc: all counsel) (dlr) (Entered: 08/08/2002)
08/06/2002	59	JUDGMENT approved by Judge David R. Herndon; judgment is entered in favor of plaintiff and against defendant; see judgment for specifics (cc: all counsel) (dlr) (Entered: 08/08/2002)
09/03/2002	60	NOTICE OF APPEAL on behalf of defendant Greenville Ford ; Filing fee pd \$ 105.00 receipt # 84195 [59-1], [58-2] (cc: all counsel) (dlr) (Entered: 09/04/2002)
09/04/2002		SHORT RECORD transmitted to USCA-7 [60-1] (dlr) (Entered: 09/04/2002)
09/11/2002	61	MOTION by defendant Greenville Ford to stay of order and judgment pending appeal (dlr) (Entered: 09/11/2002)
09/11/2002	62	MOTION by defendant Greenville Ford for additional time to order transcripts (dlr) (Entered: 09/11/2002)
09/11/2002	63	DESIGNATION OF RECORD from plaintiff EEOC [60-1] (dlr) (Entered: 09/18/2002)
09/11/2002		EXHIBITS received by plaintiff EEOC (1 folder) (dlr) (Entered: 09/18/2002)
09/16/2002		NOTIFICATION by Circuit Court of Appellate Docket Number 02-3317 (dlr) (Entered: 09/16/2002)
09/16/2002	64	RESPONSE by plaintiff EEOC to motion to stay of order and judgment pending appeal [61-1] (dlr) (Entered: 09/19/2002)

09/23/2002	65	ORDER by Judge David R. Herndon denying as without jurisdiction motion for additional time to order transcripts [62-1] (cc: all counsel) (dlr) (Entered: 09/26/2002)
10/08/2002		TRANSCRIPT of Jury Trial (day 1); held 7/22/02; 1 volume(s) Court Reporter: Laura A. Blatz (tjh) (Entered: 10/09/2002)
10/08/2002		TRANSCRIPT of Jury Trial (day 2); held 7/23/02; 1 volume(s) Court Reporter: Laura A. Blatz (tjh) (Entered: 10/09/2002)
10/18/2002		TRANSCRIPT of jury trial; held 7/24/02; 1 volume(s) Court Reporter: Jennifer Robertson (dlr) (Entered: 10/23/2002)
10/25/2002	66	ORDER by Judge David R. Herndon granting in part and denying in part motion to stay of order and judgment pending appeal [61-1]; the Court stays execution of order and judgment pending defendant's appeal; however, this stay will not become effective until, if ever, defendant posts the required supersedeas bond with the Clerk of the Court (cc: all counsel) (dlr) (Entered: 10/28/2002)
11/25/2002		RECORD ON APPEAL prepared [60-1] consisting of 1 vol pleadings, 3 vols transcripts, 1 env jury instr, 1 env of exhibits (dlr) (Entered: 11/25/2002)
02/12/2003	67	MOTION by plaintiff EEOC to hold defendant in contempt , and to compel production of documents (dlr) (Entered: 02/19/2003)
02/21/2003	68	RESPONSE by defendant Greenville Ford to motion to hold defendant in contempt [67-1], motion to compel production of documents [67-2] (js) (Entered: 02/25/2003)
03/25/2003	69	NOTICE of hearing on motion to hold defendant in contempt [67-1] motion to compel production of documents [67-2] hearing set at 9:30 AM on 4/11/03 before Judge R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (pab) (Entered: 03/25/2003)
04/07/2003	70	MOTION by plaintiff EEOC to continue its pending motions for contempt and to compel production of documents (js) (Entered: 04/07/2003)
04/10/2003	71	ORDER by Judge David R. Herndon granting motion to continue pending motions for contempt and to compel production of documents [70-1], Court cancels hearing on motion to hold defendant in contempt [67-1] and to compel production of documents [67-2], to be rescheduled at later date if necessary (cc: all counsel) (dmw) (Entered: 04/11/2003)
04/28/2003	72	MANDATE from Circuit Court, dismissing the appeal [60-1] USCA date of decision 04/25/03 (js) (Entered: 04/29/2003)
07/10/2003	73	SECOND MOTION by plaintiff EEOC to hold defendant in contempt for failure to comply with the judgement order entered in this case on 8/6/02 (js) (Entered: 07/16/2003)
07/18/2003	74	RESPONSE by defendant to plaintiff's second motion to hold defendant in contempt [73-1] (dmw) (Entered: 07/24/2003)
08/08/2003	75	REPLY by plaintiff EEOC to response to motion to hold defendant in contempt for failure to comply with the judgement order entered in this case on 8/6/02 [73-1] (js) (Entered: 08/14/2003)

08/21/2003	76	NOTICE of hearing motion to hold defendant in contempt for failure to comply with the judgement order entered in this case on 8/6/02 [73-1]; hearing set for 9:30 AM on 9/2/03 before Judge David R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (pab) (Entered: 08/21/2003)
09/09/2003	77	NOTICE of hearing motion to hold defendant in contempt for failure to comply with the judgement order entered in this case on 8/6/02 [73-1]; hearing reset for 9:30 AM on 10/17/03 before Judge David R. Herndon in the USDC/East St. Louis, IL (cc: all counsel) (pab) (Entered: 09/09/2003)
10/23/2003	78	ORDER by Judge David R. Herndon; Before the Court is the Plaintiff's and Defendant's joint telephonic request submitted on 10/16/03 to continue Plaintiff's pending motions for contempt and to postpone the hearing the motions until a later, unspecified date. The Court grants the joint request to continue. The Court cancels the hearing on Plaintiff's motion to hold defendant in contempt scheduled for 11/17/03 at 9:30 AM. This hearing will be rescheduled at a later date if necessary. [73-1] ; (cc: all counsel) (js) (Entered: 10/30/2003)
01/12/2004	79	ORDER denying as moot [73] Motion for Contempt . Signed by Judge David R Herndon on 01/12/04. (js,) (Entered: 01/18/2004)

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