

ASHMAN, CLOSED, PROTO

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:05-cv-04995

Equal Employment Opportunity Commission v. H and M
International Transportation, Inc.
Assigned to: Honorable Martin C. Ashman
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/30/2005
Date Terminated: 11/16/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Gordon G. Waldron**
United States Equal Employment
Opportunity Commission
500 West Madison Street
Suite 2800
Chicago, IL 60661
(312) 353-7525
Fax: (312)35 -8555
Email: gordon.waldron@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gregory M. Gochanour
United States Equal Employment
Opportunity Commission
500 West Madison Street
Suite 2800
Chicago, IL 60661
(312) 886-9124
Email: gregory.gochanour@eeoc.gov
ATTORNEY TO BE NOTICED

John C. Hendrickson
United States Equal Employment
Opportunity Commission
500 West Madison Street
Suite 2800
Chicago, IL 60661
(312) 353-8551
Fax: (312) 353-8555
Email: john.hendrickson@eeoc.gov
ATTORNEY TO BE NOTICED

V.

Defendant

**H and M International Transportation,
Inc.**

represented by **Stefanie W. Kohen**
Littler Mendelson, P.C.
200 North LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520
Email: skohen@littler.com
TERMINATED: 11/30/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dana S Connell
Littler Mendelson, P.C.
200 North LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520
Email: dconnell@littler.com
ATTORNEY TO BE NOTICED

Margaret Parnell Hogan
Littler Mendelson, P.C.
200 North LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520
Email: mphogan@littler.com
ATTORNEY TO BE NOTICED

Paul J Krause
Littler Mendelson, P.C.
200 North LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520
Email: pkrause@littler.com
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Gwendolyn Farley

represented by **Lawrence W. Byrne**
Pedersen & Houpt
161 N. Clark St.
Suite 3100
Chicago, IL 60606
(312) 261-2155
Fax: (312) 261-1155
Email: lbyrne@pedersenhaupt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor**Anita Evans**represented by **Ross J. Peters**The Law Offices of Ross J. Peters &
Associates, Ltd.

33 North County Street

Suite 402

Waukegan, IL 60085

(847) 625-1854

Email: rjp_atty@sbcglobal.net

*TERMINATED: 05/30/2006**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/30/2005	1	COMPLAINT filed by Equal Employment Opportunity Commission; Jury Demand.(cdy,) (Entered: 08/31/2005)
08/30/2005	2	CIVIL Cover Sheet. (cdy,) (Entered: 08/31/2005)
08/30/2005	3	ATTORNEY appearance for plaintiff Equal Employment Opportunity Commission by Gregory M. Gochanour, John C. Hendrickson, Gordon G. Waldron (cdy,) (Entered: 08/31/2005)
09/01/2005	4	MINUTE entry before Judge Marvin E. Aspen dated 9/1/05: Status hearing set for 10/13/2005 at 10:30 AM., in Courtroom 2525. Plaintiff is to notify defendant of status date. Judicial staff mailed notice (gl,) (Entered: 09/01/2005)
09/08/2005	5	MOTION to intervene (Attachments: # 1 Certificate of Service)(Byrne, Lawrence) (Entered: 09/08/2005)
09/08/2005	6	NOTICE of Motion by Lawrence W. Byrne for presentment of motion to intervene 5 before Honorable Marvin E. Aspen on 9/22/2005 at 10:30 AM. (Byrne, Lawrence) (Entered: 09/08/2005)
09/14/2005	7	ATTORNEY Appearance for Intervenor Plaintiff Gwendolyn Farley by Lawrence W. Byrne (Byrne, Lawrence) (Entered: 09/14/2005)
09/14/2005	8	ATTORNEY Appearance for Defendant H and M International Transportation, Inc. by Stefanie W. Kohen; Notice of filing (hp,) (Entered: 09/16/2005)
09/21/2005	9	MINUTE entry before Judge Marvin E. Aspen dated 9/21/05: Any Responses to petitioner Gwendolyn Farley's petition (5) to allow intervening complaint are to be filed on or before 10/6/2005 Any Replies due by 10/14/2005. The status hearing set for 10/13/05 is reset to 11/10/05 at 10:30 a.m. Judicial staff mailed notice (gl,) (Entered: 09/21/2005)
09/28/2005	10	RESPONSE by Equal Employment Opportunity Commission to MOTION to intervene 5 by Gwendolyn Farley (Waldron, Gordon) (Entered: 09/28/2005)

09/28/2005	11	NOTICE by Equal Employment Opportunity Commission re response to motion 10 to <i>Intervene</i> (Waldron, Gordon) (Entered: 09/28/2005)
09/29/2005	12	WAIVER OF SERVICE returned executed by Gwendolyn Farley, Equal Employment Opportunity Commission. H and M International Transportation, Inc. waiver sent on 9/1/2005, answer due 10/31/2005. (jmm,) (Entered: 09/30/2005)
09/30/2005	13	RESPONSE by Equal Employment Opportunity Commission to motion of Gwendolyn Farley to intervene as a plaintiff 5 ; Notice of filing (eav,) (Entered: 10/04/2005)
10/17/2005	14	MINUTE entry before Judge Marvin E. Aspen : Petition of Gwendolyn Farley to allow her to intervene in this matter as an intervening-plaintiff 5 is granted. Party Gwendolyn Farley added. Mailed notice (cdy,) (Entered: 10/18/2005)
10/31/2005	15	ANSWER to Complaint by H and M International Transportation, Inc.(Kohen, Stefanie) (Entered: 10/31/2005)
10/31/2005	16	<i>Notice of Motion to Dismiss</i> NOTICE of Motion by Stefanie W. Kohen for presentment of before Honorable Marvin E. Aspen on 11/3/2005 at 10:30 AM. (Attachments: # (1) # 2)(Kohen, Stefanie) (Entered: 10/31/2005)
10/31/2005	19	SUMMONS Issued as to Defendant H and M International Transportation, Inc. (cem,) (Entered: 11/04/2005)
10/31/2005	20	INTERVENOR complaint filed by Gwendolyn Farley against H and M International Transportation, Inc. (Exhibits).(cem) (Entered: 11/04/2005)
11/01/2005	17	MOTION by Defendant H and M International Transportation, Inc. to dismiss (Kohen, Stefanie) (Entered: 11/01/2005)
11/01/2005	18	MINUTE entry before Judge Marvin E. Aspen dated 11/1/05: Plaintiff is to respond to defendant's motion to dismiss (17) on or before 11/18/2005 Defendant is to reply by 11/29/2005. The status hearing set for 11/10/05 is reset to 1/19/06 at 10:30 a.m. Judicial staff mailed notice (gl,) (Entered: 11/01/2005)
11/14/2005	21	MOTION by Anita Evans to intervene (gma,) (Entered: 11/14/2005)
11/14/2005	22	NOTICE of Motion by Anita Evans for presentment of MOTION by Anita Evans to intervene 21 before Honorable Marvin E. Aspen on 11/17/2005 at 10:30 AM. (gma,) (Entered: 11/14/2005)
11/16/2005	23	MINUTE entry before Judge Marvin E. Aspen : Plaintiff-Intervenor, Anita Evans, motion to intervene in this action 21 is granted. Mailed notice (eav,) (Entered: 11/17/2005)
11/17/2005	24	MEMORANDUM by Equal Employment Opportunity Commission in Opposition to <i>Motion to Dismiss</i> (Attachments: # 1 Exhibit A)(Waldron, Gordon) (Entered: 11/17/2005)
11/28/2005	25	MOTION by Defendant H and M International Transportation, Inc. for extension of time to <i>Answer or Otherwise Plead to Intervening Plaintiff Farley's Complaint (Agreed)</i> (Krause, Paul) (Entered: 11/28/2005)

11/28/2005	26	NOTICE of Motion by Paul J Krause for presentment of motion for extension of time 25 before Honorable Marvin E. Aspen on 12/1/2005 at 10:30 AM. (Krause, Paul) (Entered: 11/28/2005)
11/28/2005	27	MOTION by Defendant H and M International Transportation, Inc. to substitute attorney (Krause, Paul) (Entered: 11/28/2005)
11/28/2005	28	NOTICE of Motion by Paul J Krause for presentment of motion to substitute attorney 27 before Honorable Marvin E. Aspen on 12/1/2005 at 10:30 AM. (Krause, Paul) (Entered: 11/28/2005)
11/28/2005	31	ATTORNEY Appearance for Intervenor Anita Evans by Ross J. Peters (eav,) (Entered: 11/30/2005)
11/29/2005	29	REPLY by H and M International Transportation, Inc.in Support of MOTION by Defendant H and M International Transportation, Inc. to dismiss 17 (Krause, Paul) (Entered: 11/29/2005)
11/30/2005	30	MINUTE entry before Judge Marvin E. Aspen dated 11/30/05: Defendant H and M International Transportation, Inc.'s motion for extension of time to Answer or Otherwise Plead to Intervening Plaintiff Farley's Complaint, up to and including 12/12/05 (Agreed) 25 is granted. Defendant H and M International Transportation, Inc.'s motion to substitute attorney 27 is granted. Judicial staff mailed notice (gl,) (Entered: 11/30/2005)
11/30/2005	32	MINUTE entry before Judge Marvin E. Aspen : Defendant H and M International Transportation, Inc.'s motion for substitution of counsel is granted. Dana S. Connell, Margaret Parnell Hogan, and Paul J.Krause are granted leave to substitute as counsel for defendant and Stefanie W. Kohen is withdrawn as counsel for defendant. Attorney Dana S Connell for H and M International Transportation, Inc., Margaret Parnell Hogan, Margaret Parnell Hogan for H and M International Transportation, Inc. added. Attorney Stefanie W. Kohen terminated. Mailed notice (eav,) (Entered: 12/01/2005)
12/01/2005		MAILED Rule 83.16 letter and appearance form to attorney Dane S. Connell (eav,) (Entered: 12/01/2005)
12/01/2005	33	ATTORNEY Appearance for Defendant H and M International Transportation, Inc. by Paul J Krause (Krause, Paul) (Entered: 12/01/2005)
12/05/2005	34	ATTORNEY Appearance for Defendant H and M International Transportation, Inc. by Dana S Connell (Connell, Dana) (Entered: 12/05/2005)
12/12/2005	35	<i>ANSWER AND AFFIRMATIVE DEFENSE TO COMPLAINT OF INTERVENING PLAINTIFF GWENDOLYN FARLEY</i> ANSWER to Intervenor Complaint by H and M International Transportation, Inc.(Krause, Paul) (Entered: 12/12/2005)
12/13/2005	36	ATTORNEY Appearance for Defendant H and M International Transportation, Inc. by Margaret Parnell Hogan (Hogan, Margaret) (Entered: 12/13/2005)
01/10/2006	37	MINUTE entry before Judge Marvin E. Aspen dated 1/10/06: Enter Memorandum Opinion and Order: We deny H&M's motion to dismiss EEOC's claims of a pattern or practice of sexual harassment brought pursuant to 707 of Title VII. Judicial staff mailed notice (gl,) (Entered: 01/10/2006)

01/10/2006	38	MEMORANDUM Opinion and Order dated 1/10/06 denying defendant H&M's motion to dismiss (17). Signed by Judge Marvin E. Aspen on 1/10/2006:Judicial staff mailed notice(gl,) (Entered: 01/10/2006)
01/19/2006	39	MINUTE entry before Judge Marvin E. Aspen dated 1/19/06: Status hearing held on 1/19/2006, and continued to 9/21/06 at 10:30 a.m. Discovery ordered closed by 8/8/2006. Parties are to either to file a joint pretrial order or cross motions for summary judgment in open court on 9/21/2006 at 10:30 AM. Defendant(s) oral motion to file complete answer by Monday, 1/23/06, is granted. Judicial staff mailed notice (gl,) (Entered: 01/19/2006)
01/19/2006	40	REPORT of parties at Initial Status Call by Gwendolyn Farley, Equal Employment Opportunity Commission, Anita Evans, H and M International Transportation, Inc. (eav,) (Entered: 01/23/2006)
01/23/2006	41	AMENDED ANSWER to Complaint AND AFFIRMATIVE DEFENSES by H and M International Transportation, Inc.(Krause, Paul) (Entered: 01/23/2006)
01/27/2006	42	INTERVENOR complaint filed by Anita Evans against H and M International Transportation, Inc. (Exhibits)(eav,) (Entered: 01/31/2006)
02/15/2006	43	ANSWER AND AFFIRMATIVE DEFENSE ANSWER to Intervenor Complaint OF PLAINTIFF-INTERVENOR ANITA EVANS by H and M International Transportation, Inc.(Krause, Paul) (Entered: 02/15/2006)
05/17/2006	44	MOTION by Intervenor Anita Evans to withdraw as attorney (Peters, Ross) (Entered: 05/17/2006)
05/17/2006	45	NOTICE of Motion by Intervenor Anita Evans to withdraw as attorney (Peters, Ross) Modified on 5/18/2006 (air,). (Entered: 05/17/2006)
05/18/2006	46	MOTION by Plaintiff Equal Employment Opportunity Commission to compel <i>Production of Documents</i> (Waldron, Gordon) (Entered: 05/18/2006)
05/18/2006	47	NOTICE of Motion by Gordon G. Waldron for presentment of motion to compel 46 before Honorable Marvin E. Aspen on 5/25/2006 at 10:30 AM. (Waldron, Gordon) (Entered: 05/18/2006)
05/22/2006	48	NOTICE of Motion by Ross J. Peters for presentment of motion to withdraw as attorney 44 before Honorable Marvin E. Aspen on 5/30/2006 at 10:30 AM. (Peters, Ross) (Entered: 05/22/2006)
05/23/2006	49	MINUTE entry before Judge Marvin E. Aspen dated 5/23/06: EEOC's motion to compel (46)production of documents is referred to Magistrate Judge Ashman. The motion hearing set for 5/25/06 is stricken. Magistrate Judge Ashman will set a hearing date. Judicial staff mailed notice (gl,) (Entered: 05/23/2006)
05/23/2006	50	MOTION by Defendant H and M International Transportation, Inc. for protective order <i>MOTION FOR AGREED PROTECTIVE ORDER</i> (Attachments: # 1 Exhibit 1)(Krause, Paul) (Entered: 05/23/2006)
05/23/2006	51	NOTICE of Motion by Paul J Krause for presentment of motion for protective order 50 before Honorable Marvin E. Aspen on 5/30/2006 at 10:30 AM. (Krause, Paul) (Entered: 05/23/2006)

05/23/2006	52	EXECUTIVE COMMITTEE ORDER:Case referred to Magistrate Judge Martin C. Ashmanto conduct hearings and enter appropriate orders on the following pretrial motion/matter: discovery motion(s) specified below: plaintiff EEOC's motion to compel production of documents (46). Signed by Executive Committee on 5/23/06. (cdy,) (Entered: 05/26/2006)
05/30/2006	53	MINUTE entry before Judge Marvin E. Aspen dated 5/30/06: Ross J. Peters' motion to withdraw (44) as counsel for intervening plaintiff, Anita Evans is granted. Ross J. Peters and law offices of Ross J. Peters, Ltd. are withdrawn as counsel for intervening plaintiff Anita Evans. Judicial staff mailed notice (gl,) (Entered: 05/30/2006)
05/30/2006	54	MINUTE entry before Judge Marvin E. Aspen dated 5/30/06: Plaintiff's motion for entry of agreed protective order (50) is granted. Motion termintaed. The motion hearing set for 5/30/06 is stricken. Enter Agreed Protective Order. Judicial staff mailed notice (gl,) (Entered: 05/30/2006)
05/30/2006	55	Enter Agreed PROTECTIVE Order governing confidentiality of certain documents. Signed by Judge Marvin E. Aspen on 5/30/2006:Judicial staff mailed notice(gl,) (Entered: 05/30/2006)
05/30/2006	56	MINUTE entry before Judge Marvin E. Aspen : Ross J. Peters' motion to withdraw (44) as counsel for intervening plaintiff, Anita Evans is granted. Ross J. Peters and law offices of Ross J. Peters, Ltd. are withdrawn as counsel for intervening plaintiff Anita Evans. Attorney Ross J. Peters terminated. Mailed notice (cdy,). (Entered: 05/31/2006)
06/02/2006	57	MOTION by Plaintiff Equal Employment Opportunity Commission to compel <i>Production of Documents</i> (Waldron, Gordon) (Entered: 06/02/2006)
06/02/2006	58	NOTICE of Motion by Gordon G. Waldron for presentment of motion to compel 57 before Honorable Martin C. Ashman on 6/20/2006 at 10:30 AM. (Waldron, Gordon) (Entered: 06/02/2006)
06/12/2006	59	MINUTE entry before Judge Martin C. Ashman : Plaintiff EEOC's motion to compel production of documents 46 57 is withdrawn. All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Judge Martin C. Ashman no longer referred to the case. Mailed notice. (is,) (Entered: 06/12/2006)
06/28/2006	60	STIPULATION of Dismissal <i>WITH PREJUDICE OF THE COMPLAINT OF PLAINTIFF-INTERVENOR ANITA EVANS</i> (Krause, Paul) (Entered: 06/28/2006)
07/18/2006	61	MOTION by Defendant H and M International Transportation, Inc. to stay <i>Discovery and Refer This Matter to Magistrate Judge Ashman For a Judicially-Supervised Settlement Conference</i> (Attachments: # 1 Text of Proposed Order)(Hogan, Margaret) (Entered: 07/18/2006)
07/18/2006	62	NOTICE of Motion by Margaret Parnell Hogan for presentment of motion to stay 61 before Honorable Marvin E. Aspen on 7/20/2006 at 10:30 AM. (Hogan, Margaret) (Entered: 07/18/2006)
07/19/2006	63	MINUTE entry before Judge Marvin E. Aspen dated 7/19/06: Agreed motion (61) to stay discvoery and refer this matter to Magistrate Judge Ashman for a judicially supervised settlement conference is granted. Motion terminated. The

		September 21, 2006 date previously set is to stand. The motion hearing set for 7/20/06 is stricken. Judicial staff mailed notice (gl,) (Entered: 07/19/2006)
07/19/2006	64	Enter ORDER granting Agreed motion to stay discovery and refer this matter to Magistrate Judge Ashman for a judicially supervised settlement conference. Signed by Judge Marvin E. Aspen on 7/19/2006:Judicial staff mailed notice(gl,) (Entered: 07/19/2006)
07/19/2006	65	EXECUTIVE COMMITTEE ORDER:Case referred to Magistrate Judge Martin C. Ashman pursuant to Local Rule 72.1 to conduct harings and enter appropriate orders on Settlement conference.. Signed by Chief Judge James F. Holderman, Executive Committee on 7/19/06. (eav,) (Entered: 07/21/2006)
08/02/2006	66	MINUTE entry before Judge Martin C. Ashman : Settlement Conference set for 9/21/2006 at 02:00 PM., in chambers 1366. All clients and parties with full authority to settle are to be physically present. Failure to have parties with full authority to settle present may result in the imposition of severe sanctions. (For further details see standing order on the court's web site at www.ilnd.uscourts.gov.) Mailed notice. (is,) (Entered: 08/02/2006)
08/17/2006	67	MINUTE entry before Judge Martin C. Ashman : Settlement Conference reset to 9/21/2006 at 03:00 PM. Mailed notice. (is,) (Entered: 08/17/2006)
08/29/2006	68	MINUTE entry before Judge Martin C. Ashman : Settlement Conference of 9/21/2006 is reset to 9/22/2006 at 02:00 PM., by agreement of the parties. Mailed notice. (is,) (Entered: 08/29/2006)
09/18/2006	69	MINUTE entry before Judge Marvin E. Aspen dated 9/18/06: The status hearing and for the filing of either cross motions for summary judgment or a joint pretrial order set for September 21, 2006 is reset to October 12, 2006 at 10:30. Judicial staff mailed notice (gl,) (Entered: 09/18/2006)
09/19/2006	70	MINUTE entry before Judge Martin C. Ashman : Settlement Conference reset to 10/10/2006 at 11:00 AM. Mailed notice. (is,) (Entered: 09/19/2006)
10/02/2006	71	MOTION by Defendant H and M International Transportation, Inc. to stay <i>STATUS HEARING SET FOR OCTOBER 12, 2006 (AGREED)</i> (Krause, Paul) (Entered: 10/02/2006)
10/02/2006	72	AGREED NOTICE of Motion by Paul J Krause for presentment of motion to stay 71 before Honorable Marvin E. Aspen on 10/5/2006 at 10:30 AM. (Krause, Paul) (Entered: 10/02/2006)
10/05/2006	73	MINUTE entry before Judge Marvin E. Aspen dated 10/5/06: Defendant's agreed motion to stay deadline for joint pretrial order or cross motions for summary judgment set for October 12, 2006 (Dkt. No. 71) is granted. Motion terminated. Discovery is extended to December 1, 2006. Final extension. The status hearing and for filing of a joint pretrial order or cross motions for summary judgment set for October 12, 2006 is reset to February 8, 2007 at 10:30 a.m. No further extensions. Judicial staff mailed notice (gl,) (Entered: 10/05/2006)
10/10/2006	74	MINUTE entry before Judge Martin C. Ashman : Settlement conference held on 10/10/2006. Case settled. Magistrate Judge Status hearing set for 10/31/2006 at 10:00 AM. Mailed notice. (is,) (Entered: 10/11/2006)

10/17/2006	76	JOINT CONSENT by Gwendolyn Farley, Equal Employment Opportunity Commission, H and M International Transportation, Inc.to Exercise of Jurisdiction by a United States Magistrate Judge (eav,) (Entered: 10/23/2006)
10/18/2006	77	EXECUTIVE COMMITTEE ORDER: Case reassigned to Magistrate Judge Martin C. Ashman from Judge Marvin Aspen pursuant to Local Rule 73.1 for all further proceedings. . Signed by Chief Judge James F. Holderman, Executive Committee on 10/18/06. (eav,) (Entered: 10/23/2006)
10/19/2006	75	MINUTE entry before Judge Martin C. Ashman : All matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Judge Martin C. Ashman no longer referred to the case. No notice. (is,) (Entered: 10/19/2006)
10/31/2006	78	MINUTE entry before Judge Martin C. Ashman : Status hearing held on 10/31/2006. Consent decree submitted. Mailed notice. (is,) (Entered: 11/01/2006)
11/16/2006	79	MINUTE entry before Judge Martin C. Ashman: Enter consent decree. Mailed (vmj,) (Entered: 11/20/2006)
11/16/2006	80	CONSENT Decree Signed by Judge Martin C. Ashman on 11/16/2006(vmj,) (Entered: 11/20/2006)
11/29/2006	81	MINUTE entry before Judge Martin C. Ashman : Enter notice to all employees of H and M International Transportation, Inc. Maled notice (eav,) (Entered: 12/04/2006)
11/29/2006	82	ORDER - Exhibit A, Notice to all employees of H and M International Transportation, Inc. Signed by Judge Martin C. Ashman on 11/29/2006:Mailed notice(eav,) (Entered: 12/04/2006)

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