

ASHMAN, TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:02-cv-09128

EEOC v. K-B TV & Appliance
Assigned to: Hon. Suzanne B. Conlon
Demand: \$0
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 12/17/2002
Date Terminated: 07/17/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Richard John Mrizek**
U.S. Equal Employment Opportunity
Commission
500 W. Madison
Suite 2800
Chicago, IL 60661
(312) 886-9078
Fax: (312) 353-8555
Email: richard.mrizek@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ethan M.M. Cohen
United States Equal Employment
Opportunity Commission
500 West Madison Street
Suite 2800
Chicago, IL 60661
(312) 353-7568
Email: ethan.cohen@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

Noelle Christine Brennan
Brennan & Monte, Ltd.
20 South Clark Street

Suite 1530
 Chicago, IL 60603
 (312) 422-0001
 Email: nbrennan@brennan-monte.com
ATTORNEY TO BE NOTICED

V.

Defendant

K-B Television and Appliance Co.

represented by **Oyvind Wistrom**
 Lindner and Marsack, S.C.
 411 East Wisconsin Avenue
 Suite 1000
 Milwaukee, WI 53202
 (414) 273-3910
 Email: owistrom@lindner-marsack.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James R Scott
 Lindner and Marsack, S.C.
 411 East Wisconsin Avenue
 Suite 1000
 Milwaukee, WI 53202
 (414) 273-3910

Robert William Funk, II
 Schirott & Luetkehans, P.C.
 105 East Irving Park Road
 Itasca, IL 60143
 (708) 773-8500
 Email: rfunk@sl-atty.com
ATTORNEY TO BE NOTICED

Robert James Kartholl, Jr.
 Law Offices of Robert Kartholl
 105 East Irving Park Road
 Itasca, IL 60143
 (630)760-4627
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/17/2002	<u>1</u>	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of John C. Hendrickson, Noelle Christine Brennan, Richard John Mrizek as attorney(s) for plaintiff (no summons(es) issued.) (Documents: (1-1 through 1-3)) (fce) (Entered: 12/18/2002)

01/03/2003		SCHEDULE set on 1/3/03 by Hon. Suzanne B. Conlon : Status hearing set on 1/23/03 at 9:00 AM. At the status hearing, the parties are to report on the following: 1. Possibility of settlement in the case; 2. If no possibility of settlement exists, the nature and length of discovery necessary to get the case ready for trial. Plaintiff is directed to advise all other parties of the court's action herein and to forward a copy of the court's procedure guidelines to defendant(s). Mailed notice (cgb) (Entered: 01/03/2003)
01/23/2003	2	MINUTE ORDER of 1/23/03 by Hon. Suzanne B. Conlon : Status hearing held. Discovery cut -off and filing of dispositive motions with supporting memoranda set on 05/22/03. Joint final pretrial order with agreed pattern jury instructions submission set on 06/12/03 at 9:00 a.m., plaintiff's draft to be submitted to defendant by 06/05/03. Case is placed on the July 2003 trial calendar. Firm Dates. Mailed notice (gcy) (Entered: 01/24/2003)
02/14/2003	3	WAIVER of service of summons as to defendant K.B. Television & Appliance Co. sent on 12/17/02. (gcy) (Entered: 02/19/2003)
02/18/2003	4	ATTORNEY APPEARANCE for defendant by Oyvind Wistrom, James R Scott (gcy) (Entered: 02/20/2003)
02/18/2003	5	ANSWER by defendant to complaint [1-1]. (gcy) (Entered: 02/20/2003)
02/18/2003	6	CERTIFICATE of Interest by defendant. (gcy) (Entered: 02/20/2003)
05/02/2003	7	MOTION by defendant to substitute counsel , file an amended answer and enlarge discovery ; Notice. (gcy) (Entered: 05/08/2003)
05/07/2003	8	MINUTE ORDER of 5/7/03 by Hon. Suzanne B. Conlon: Defendant's motion to substitute counsel [7-1] is granted, provided new counsel file their appearance upon receipt of this order. Defendant's motion for leave to file an amended answer [7-2] is granted. The amended answer shall be filed by 05/12/03. Defendant's motion to enlarge time to complete discovery [7-3] is denied for failure to show good cause or due diligence. Mailed notice by judge's staff (gcy) (Entered: 05/08/2003)
05/07/2003	9	ATTORNEY APPEARANCE for defendant by Robert James Kartholl Jr., Robert William Funk II (gcy) (Entered: 05/08/2003)
05/09/2003	10	AGREED MOTION by plaintiff EEOC for rescheduling submission of final pretrial order ; Notice. (gcy) (Entered: 05/16/2003)
05/14/2003	11	MINUTE ORDER of 5/14/03 by Hon. Suzanne B. Conlon : Plaintiff's agreed motion for rescheduling submission of final pretrial order is granted [10-1]. Pretrial order submission on 06/12/03 is reset to 06/19/03 at 9:00 a.m.; plaintiff's draft to be submitted to defendant by 06/12/03 . Case remains on the July 2003 trial calendar. The court notes that plaintiff is represented by 3 attorneys. No further extensions. Mailed notice by judge's staff (gcy) (Entered: 05/16/2003)
05/15/2003	12	AMENDED ANSWER [5-1] and affirmative defenses to complaint at law by defendant; Notice. (gcy) (Entered: 05/16/2003)
06/19/2003	13	MINUTE ORDER of 6/19/03 by Hon. Suzanne B. Conlon : Pretrial order submission held. Responses to parties' motions in limine to be filed by 06/30/03. Final pretrial conference set on 07/10/03 at 4:00 p.m.; all trial counsel to be

		present. Trial set on 07/16/03 at 9:00 a.m. (Entered Final Pretrial Order) Mailed notice by judge's staff (gcy) (Entered: 06/20/2003)
06/30/2003	14	RESPONSE by defendant to plaintiff's motion in limine to exclude Illinois Department of Human Rights findings; Notice. (jmp) (Entered: 07/01/2003)
06/30/2003	15	RESPONSE by defendant to plaintiff's motion in limine to exclude evidence of defendants' Martin and Stewart, prior convictions (Attachment). (jmp) (Entered: 07/01/2003)
06/30/2003	16	RESPONSE by defendant to plaintiff's motion in limine to exclude defendant's communication of an open eposition to the IDHR. (jmp) (Entered: 07/01/2003)
06/30/2003	17	RESPONSE by defendant to plaintiff's motion in limine to exclude evidence of defendant Martin, Social Security and Unemployment Benefits. (jmp) (Entered: 07/01/2003)
07/03/2003	18	RESPONSE by plaintiff EEOC to defendant's motion in limine to bar evidence as to backpay damages for certain period of time. (gcy) (Entered: 07/08/2003)
07/03/2003	19	RESPONSE by plaintiff EEOC to defendant's motion in limine to bar testimony regarding Dr. Baht and other healthcare professionals. (gcy) (Entered: 07/08/2003)
07/03/2003	20	RESPONSE by EEOC to defendant's motion in limine to bar evidence of certain statements made by K-B's owner after suit was filed. (gcy) (Entered: 07/08/2003)
07/10/2003	21	MINUTE ORDER of 7/10/03 by Hon. Suzanne B. Conlon : Plaintiff's motions in limine to exclude evidence of the Illinois Department of Human Rights findings and to exclude evidence regarding defendant's communication of an open position to the IDHR and defendant's motions in limine to bar evidence as to back pay damages for a certain period of time and certain statements made by K-B's owner after suit was filed are denied for failure to submit sufficient information either by filing trials briefs or submitting exhibits or other evidence. Plaintiff's motion in limine to exclude evidence of Martin and Stewart's prior convictions is granted. Plaintiff's motion in limine to exclude evidence of Martin's social security payments and unemployment benefits is granted in part and denied in part. Defendant's motion in limine to bar testimony regarding Dr. Baht and other health care professionals is moot. (See reverse of minute order.) No notice (gcy) (Entered: 07/11/2003)
07/10/2003	22	MINUTE ORDER of 7/10/03 by Hon. Suzanne B. Conlon : Final pretrial and settlement conference held. Counsel shall advise chambers by 07/14/03 if the case settles. If the case does not settle, counsel shall submit trial briefs and revised jury instructions by 07/14/03. No notice (gcy) (Entered: 07/14/2003)
07/14/2003	23	TRIAL brief by defendant K-B TV & Appliance; Notice (gcy) (Entered: 07/15/2003)
07/14/2003	28	TRIAL brief by plaintiff (lc) (Entered: 07/18/2003)
07/14/2003	29	AGREED JURY INSTRUCTIONS submitted (lc) (Entered: 07/18/2003)
07/14/2003	30	AMENDMENTS TO FINAL PRE-TRIAL ORDER (lc) (Entered: 07/18/2003)

07/16/2003	24	ATTORNEY APPEARANCE for plaintiff by Ethan M.M. Cohen (gcy) (Entered: 07/17/2003)
07/16/2003	25	MINUTE ORDER of 7/16/03 by Hon. Suzanne B. Conlon : Jury trial held and continued to 7/17/03 at 9:00 a.m. No notice (eav) (Entered: 07/18/2003)
07/17/2003	26	MINUTE ORDER of 7/17/03 by Hon. Suzanne B. Conlon : Jury trial held. Jury deliberates. Verdict returned for defendant K-B Television & Appliance and against plaintiff EEOC. Judgment is entered on jury's verdict. terminating case Mailed notice (eav) (Entered: 07/18/2003)
07/17/2003	27	ENTERED JUDGMENT (eav) (Entered: 07/18/2003)
07/17/2003	31	JURY INSTRUCTIONS submitted (lc) (Entered: 07/18/2003)
07/17/2003	32	JURY NOTES filed of 07/17/03 (Attachment). (lc) (Entered: 07/18/2003)
07/17/2003	33	VERDICT for defendant against plaintiff (lc) (Entered: 07/18/2003)
08/14/2003	34	BILL OF COSTS submitted by defendants (Attachments); Notice. (ntf) (Entered: 08/21/2003)
08/20/2003	35	MINUTE ORDER of 8/20/03 by Hon. Suzanne B. Conlon: Defendant's bill of costs is taken under advisement. Plaintiff shall file any objections by 08/29/03. Notice mailed by judge's staff (ntf) (Entered: 08/21/2003)
09/23/2003	36	MINUTE ORDER of 9/23/03 by Hon. Suzanne B. Conlon : Defendant's unopposed bill of costs [34-1] is approved. Defendant is awarded reasonable costs in the amount of \$2,411.69. Mailed notice by judge's staff (gcy) Modified on 09/24/2003 (Entered: 09/24/2003)

PACER Service Center

Transaction Receipt

05/31/2007 13:28:27

PACER Login:	hs0328	Client Code:	eeoc+++++
Description:	Docket Report	Search Criteria:	1:02-cv-09128
Billable Pages:	3	Cost:	0.24