

ASHMAN, CLOSED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CIVIL DOCKET FOR CASE #: 1:04-cv-06162

EEOC v. U-Haul Intl Inc, et al
Assigned to: Hon. Joan Humphrey Lefkow
Demand: \$0
Cause: 42:1981 Civil Rights

Date Filed: 09/22/2004
Date Terminated: 01/13/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jeanne B. Szromba**
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V.

Defendant

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represented by **D. Scott Watson**

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Defendant

U-Haul of Illinois, Inc.

represented by **D. Scott Watson**
 (See above for address)
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Gary R. Clark
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TERMINATED: 10/06/2005

John Scott Huntley
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ATTORNEY TO BE NOTICED

Manuel Sanchez
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/22/2004	<u>1</u>	COMPLAINT; jury demand - Civil cover sheet - Appearance(s) of John C. Hendrickson, Diane Ilene Smason, Jeanne B. Szromba as attorney(s) for plaintiff (no summons(es) issued.) (Documents: (1-1 through 1-3)) (gma) (Entered: 09/22/2004)
10/25/2004	<u>2</u>	WAIVER of service of summons as to defendant U-Haul Intl Inc sent on 9/22/04. (gma) (Entered: 10/26/2004)
10/25/2004	<u>7</u>	WAIVER of service of summons as to defendant U-Haul of IL Inc sent on 10/21/04. (jmm) (Entered: 11/19/2004)
11/05/2004	<u>3</u>	MINUTE ORDER of 11/5/04 by Hon. Joan Humphrey Lefkow: Status hearing is set for scheduling conference on 11/30/04 at 9:30 a.m. (Entered Order Setting Scheduling Conference.) Mailed notice by judge's staff. (gma) (Entered: 11/05/2004)

		11/08/2004)
11/15/2004	4	ATTORNEY APPEARANCE for defendants by D. Scott Watson, Gary R. Clark, Ellen Marie Girard (rbf) (Entered: 11/18/2004)
11/15/2004	5	CORPORATE DISCLOSURE STATEMENT by defendant U-Haul Intl Inc (rbf) (Entered: 11/18/2004)
11/15/2004	6	CORPORATE DISCLOSURE STATEMENT by defendant U-Haul of IL Inc; Notice. (rbf) (Entered: 11/18/2004)
11/22/2004	8	MOTION by defendant U-Haul International Inc to dismiss for failure to state a claim (Attachments); Notice. (gma) (Entered: 12/01/2004)
11/22/2004	9	ANSWER by defendant U-Haul International Inc and affirmative defenses to complaint [1-1]; Notice. (gma) (Entered: 12/01/2004)
11/30/2004	10	MINUTE ORDER of 11/30/04 by Hon. Joan Humphrey Lefkow: Status hearing held. Response to defendant's motion to dismiss for failure to state a claim [8-1] is to be filed and served by 12/16/04; reply by 1/5/05; ruling will issue by mail. Amendments to the pleadings and/or joinder of additional parties may be sought upon appropriate motion by 1/14/05. All discovery will close on 4/29/05. The cut-off date for designation of plaintiff's trial expert is 5/31/05; for defendant's trial expert is 6/20/05. Motion(s) for summary judgment are to be filed by 8/1/05. Case shall be ready for trial by 1/3/06. Joint final pretrial order is to be filed by 12/1/05; plaintiff's complete draft shall be served on defendant by 11/15/05. (Entered Scheduling Order.) Mailed notice by judge's staff. (gma) (Entered: 12/01/2004)
12/16/2004	11	RESPONSE by plaintiff EEOC to defendant U-Haul International, Inc.'s motion to dismiss for failure to state a claim [8-1] (Attachments). (gma) (Entered: 12/17/2004)
01/05/2005	12	REPLY by defendant U-Haul Intl Inc to EEOC's motion to dismiss for failure to state a claim [8-1]; Notice. (rbf) (Entered: 01/06/2005)
04/11/2005	13	JOINT MOTION by Plaintiff Equal Employment Opportunity Commission to extend discovery deadline (gma,) (Entered: 04/11/2005)
04/11/2005	14	NOTICE of Motion by U-Haul of Illinois, Inc. for presentment of JOINT MOTION by Plaintiff Equal Employment Opportunity Commission to extend discovery deadline 13 before Honorable Charles P. Kocoras on 4/18/2005 at 09:30 AM. (gma,) (Entered: 04/11/2005)
04/18/2005	15	MINUTE entry before Judge Charles P. Kocoras : Joint motion for extension of discovery deadline 13 is granted. Discovery ordered closed by 6/29/2005. Jury Trial is set on the joint trial calendar on 1/9/2006 at 10:00 AM. Judicial staff mailed notice (mad,) (Entered: 04/19/2005)
06/22/2005	16	AGREED MOTION by Defendant U-Haul of Illinois, Inc. to extend deadlines(gma,) (Entered: 06/22/2005)
06/22/2005	17	NOTICE of Motion by U-Haul of Illinois, Inc. for presentment of AGREED MOTION by Defendant U-Haul of Illinois, Inc. to extend deadlines 16 before Honorable Charles P. Kocoras on 6/28/2005 at 09:30 AM. (gma,) (Entered: 06/22/2005)

		06/22/2005)
06/28/2005	18	MINUTE entry before Judge Charles P. Kocoras : Defendant's agreed motion to extend deadlines 16 is granted. Discovery deadline is extended to 8/25/2005. Date of 8/1/05 by which to file motion for summary judgment is vacated and may be reset at the next status hearing. Status hearing is set for 8/25/2005 at 09:30 AM. The case remains set on the January 2006 Joint Trial Calendar. Judicial staff mailed notice (mad,) (Entered: 06/28/2005)
08/10/2005	19	MINUTE entry before Judge Joan H. Lefkow : Status hearing of 8/25/05 is reset to 8/30/05 at 9:30 a.m. Defendant's motion to dismiss 8 is denied for the reasons stated below. Judicial staff mailed notice (mjc,) (Entered: 08/11/2005)
08/15/2005	20	JOINT MOTION by parties for extension of time to complete discovery (las,) . (Entered: 08/16/2005)
08/15/2005	21	NOTICE of Motion by D. Scott Watson for presentment of parties joint motion for extension of time to complete discovery 20 before Honorable Joan H. Lefkow on 8/18/2005 at 09:30 AM. (las,) (Entered: 08/16/2005)
08/18/2005	22	MINUTE entry before Judge Charles P. Kocoras : Joint motion for extension of time to 8/26/05 to complete discovery 20 is granted. Discovery ordered closed by 8/26/2005. Telephoned notice (mad,) (Entered: 08/18/2005)
08/22/2005	23	ANSWER by defendant U-Haul International, Inc. to complaint and affirmative defenses; Notice. (mjc,) (Entered: 08/24/2005)
08/30/2005	24	MINUTE entry before Judge Charles P. Kocoras : Status hearing held and continued to 10/6/2005 at 09:30 AM. In court notice (mad,) (Entered: 08/30/2005)
09/30/2005	25	MOTION by Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. to withdraw appearances. (vcf,) (Entered: 10/03/2005)
09/30/2005	26	NOTICE of Motion by U-Haul International, Inc., U-Haul of Illinois, Inc. for presentment of motion to withdraw appearances 25 before Honorable Joan H. Lefkow on 10/6/2005 at 09:30 AM. (vcf,) (Entered: 10/03/2005)
10/03/2005	27	MOTION by Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. for leave to substitute appearances (Cribaro-Mello, Camille) Modified on 10/4/2005 (ntf,). (Entered: 10/03/2005)
10/03/2005	28	NOTICE of Motion by Camille A. Cribaro-Mello for presentment of motion to substitute attorney 27 before Honorable Joan H. Lefkow on 10/6/2005 at 09:30 AM. (Cribaro-Mello, Camille) (Entered: 10/03/2005)
10/06/2005	30	MINUTE entry before Judge Joan H. Lefkow : Status hearing held and continued to 11/10/2005 at 09:30 a.m. Defendants' motion to withdraw appearances 25 is granted. D. Scott Watson, Gary R. Clark and Ellen M. Girard of Quarles and Brady are given leave to withdraw as counsel for defendants. Defendants' motion for leave to substitute appearances 27 is granted. Manuel Sanchez, John S. Huntley and Camille Cribaro-Mello of Sanchez, Daniels & Hoffman are given leave to substitute their appearances on behalf of defendants. Defendants' oral motion for parties to supplement Rule 26 disclosures by 10/20/05 is granted. Attorney Manuel Sanchez for U-Haul International, Inc. and U-Haul of Illinois,

		Inc., John Scott Huntley for U-Haul International, Inc. and U-Haul of Illinois, Inc., Camille A. Cribaro-Mello for U-Haul International, Inc. and U-Haul of Illinois, Inc. added. Attorney D. Scott Watson; Gary R. Clark and Ellen Marie Girard terminated. Mailed notice (mjc,) (Entered: 10/11/2005)
10/10/2005	29	Subpoena for records by U-Haul International, Inc., U-Haul of Illinois, Inc. (Cribaro-Mello, Camille) (Entered: 10/10/2005)
10/11/2005	31	ATTORNEY Appearance for Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. by Camille A. Cribaro-Mello <i>Appearances by Manuel Sanchez and John S. Huntley</i> (Cribaro-Mello, Camille) (Entered: 10/11/2005)
10/13/2005	32	ATTORNEY Appearance for Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. by John Scott Huntley (Huntley, John) (Entered: 10/13/2005)
10/13/2005	33	ATTORNEY Appearance for Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. by Camille A. Cribaro-Mello (Cribaro-Mello, Camille) (Entered: 10/13/2005)
10/14/2005	34	ATTORNEY Appearance for Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. by Manuel Sanchez (Sanchez, Manuel) (Entered: 10/14/2005)
10/20/2005	35	AMENDED by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Defendant's Amended Rule 26(a)(1) Disclosures</i> (Cribaro-Mello, Camille) (Entered: 10/20/2005)
10/20/2005	36	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendant's Amended Rule 26(a)(1) Disclosures</i> (Cribaro-Mello, Camille) (Entered: 10/20/2005)
10/26/2005	37	MOTION by Plaintiff Equal Employment Opportunity Commission, Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. for extension of time <i>Joint Motion to Extend Case Deadlines</i> (Cribaro-Mello, Camille) (Entered: 10/26/2005)
10/26/2005	38	<i>Joint Motion to Extend Case Deadlines</i> NOTICE of Motion by Camille A. Cribaro-Mello for presentment of motion for extension of time 37 before Honorable Joan H. Lefkow on 11/1/2005 at 09:30 AM. (Cribaro-Mello, Camille) (Entered: 10/26/2005)
11/01/2005	39	MINUTE entry before Judge Joan H. Lefkow : Motion hearing held. Joint motion to extend case deadlines 37] is denied. Pretrial Order due date is extended to 12/15/2005. Settlement Conference is set for 12/6/2005 at 02:00 PM. Mailed notice (mad,) (Entered: 11/02/2005)
12/06/2005	40	MINUTE entry before Judge Joan H. Lefkow : Settlement conference held on 12/6/2005. Date by which to file pretrial order is extended to 12/20/2005. Pretrial conference is set for 12/21/2005 at 03:30 PM. In court notice (mad,) (Entered: 12/07/2005)
12/09/2005	41	MINUTE entry before Judge Matthew F. Kennelly : This case has been placed on the joint trial call that will begin on 1/9/06. Cases on that call will proceed on a "trailing" calendar to be tried as reached. The judges contributing cases are Judges Bucklo, Coar, Gettleman, Kennelly, and Lefkow. Any case may be assigned to any of the contributing judges. By 12/7/04, a list of cases will be

		available by link to the web pages of each of the judges participating. You can estimate the date on which your case will be called for trial by its location on the list, as ordinarily the cases will be called in the listed order, and no trial should last more than 5 days. As cases settle and trials are completed, the list will be updated. It will be necessary for all attorneys and parties to keep themselves and their witnesses ready for trial on no more than 48 hours notice. Mailed notice (or,) (Entered: 12/09/2005)
12/20/2005	42	PROPOSED Pretrial Order <i>and Notice of Filing</i> by Equal Employment Opportunity Commission (Szromba, Jeanne) (Entered: 12/20/2005)
12/21/2005	43	MINUTE entry before Judge Joan H. Lefkow : Final pretrial conference held on 12/21/2005. (mad,) (Entered: 12/21/2005)
12/22/2005	44	MOTION by Plaintiff Equal Employment Opportunity Commission in limine to exclude evidence of absence of discrimination (Smason, Diane) Text modified by Clerk's Office on 12/23/2005 (ntf,). (Entered: 12/22/2005)
12/22/2005	45	NOTICE by Equal Employment Opportunity Commission <i>Notice of Filing Motion in Limine to Exclude Evidence of Absence of Discrimination</i> (Smason, Diane) (Entered: 12/22/2005)
12/22/2005	46	MOTION by Plaintiff Equal Employment Opportunity Commission in limine <i>Motion in Limine to Exclude Evidence of Townes' Job Performance Unrelated to Employment Decisions at Issue</i> (Smason, Diane) Text edited by Clerk's Office on 12/23/2005 (ntf,). (Entered: 12/22/2005)
12/22/2005	47	NOTICE by Equal Employment Opportunity Commission <i>Notice of Filing Motion in Limine to Exclude Evidence of Townes' Job Performance</i> (Smason, Diane) (Entered: 12/22/2005)
12/22/2005	48	MOTION by Plaintiff Equal Employment Opportunity Commission in limine <i>Motion in Limine to Exclude Testimony of EEOC Investigator</i> (Smason, Diane) (Entered: 12/22/2005)
12/22/2005	49	NOTICE by Equal Employment Opportunity Commission <i>Notice of Filing Motion in Limine to Exclude Testimony of EEOC Investigator</i> (Smason, Diane) (Entered: 12/22/2005)
12/27/2005	50	MOTION by Defendants U-Haul International, Inc., U-Haul of Illinois, Inc. in limine <i>Motion in Limine to Exclude Newspaper Articles, Motion in Limine to Exclude the Use of Deposition Testimony, Motion in Limine to Exclude Statements to the Media and Motion in Limine to Exclude Time-Barred Acts</i> (Cribaro-Mello, Camille) (Entered: 12/27/2005)
12/27/2005	51	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Motions in Limine</i> (Cribaro-Mello, Camille) (Entered: 12/27/2005)
12/28/2005	52	AMENDED proposed pretrial order 42 by Equal Employment Opportunity Commission - <i>adding Amended Special Verdict Form</i> (Szromba, Jeanne) (Entered: 12/28/2005)
01/03/2006	53	RESPONSE by Plaintiff Equal Employment Opportunity Commission <i>to Defendants' Motion in Limine to Exclude Time-Barred Acts and Notice of Filing</i> (Szromba, Jeanne) (Entered: 01/03/2006)

01/03/2006	54	RESPONSE <i>Plaintiff EEOC's Response to Defendants' Motion in Limine to Exclude the Use of Deposition Testimony and Notice of Filing</i> (Smason, Diane) (Entered: 01/03/2006)
01/03/2006	55	RESPONSE <i>Plaintiff EEOC's Response to Defendants' Motion in Limine to Exclude Newspaper Articles and Notice of Filing</i> (Smason, Diane) (Entered: 01/03/2006)
01/03/2006	56	RESPONSE <i>Plaintiff EEOC's Response to Defendants' Motion in Limine to Exclude Statements to the Media and Notice of Filing</i> (Smason, Diane) (Entered: 01/03/2006)
01/03/2006	57	RESPONSE <i>Defendants Response to Plaintiff's Motion in Limine Regarding Evidence of Townes' Job Performance</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	58	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendants Response to Plaintiff's Motion in Limine Regarding Evidence of Townes' Job Performance</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	59	RESPONSE <i>Defendants' Response to Plaintiff's Motion in Limine to Exclude Testimony of EEOC Investigator</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	60	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendants' Response to Plaintiff's Motion in Limine to Exclude Testimony of EEOC Investigator</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	61	RESPONSE <i>Defendants' Response to Plaintiff's Motion in Limine to Exclude Evidence of Absence of Discrimination</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	62	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendants' Response to Plaintiff's Motion in Limine to Exclude Evidence of Absence of Discrimination</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	63	PROPOSED Jury Instructions by U-Haul International, Inc., U-Haul of Illinois, Inc. (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/03/2006	64	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendants' Amended Pattern Instruction on Retaliation, Amended Special Verdict Form and Additional Pattern Cautionary Instruction on Reasonableness of Defendants' Action</i> (Cribaro-Mello, Camille) (Entered: 01/03/2006)
01/06/2006	65	MINUTE entry before Judge Joan H. Lefkow : Jury Trial reset to 1/10/2006 at 10:00 AM. Telephoned notice (mad,) (Entered: 01/06/2006)
01/06/2006	70	MINUTE entry before Judge Joan H. Lefkow : Plaintiff's first motion in limine 48 is denied without prejudice. Plaintiff's second motion in limine 46 is denied without prejudice. Plaintiff's third motion in limine 44 is granted as stated below. Defendants' first motion in limine 50 is granted as stated below. Defendants' second motion in limine 50 is granted without objection. Defendants' third motion in limine 50 is granted as stated below. Defendants' fourth motion in limine 50 is granted in part and denied in part. (mjc,) (Entered: 01/09/2006)

01/09/2006	66	Plaintiff's Proposed Amended Jury Instruction on Retaliation, Notice of Filing and Certificate of Service by Equal Employment Opportunity Commission (Smason, Diane) (Entered: 01/09/2006)
01/09/2006	67	Plaintiff's Proposed Second Amended Special Verdict Form, Notice of Filing and Certificate of Service by Equal Employment Opportunity Commission (Smason, Diane) (Entered: 01/09/2006)
01/09/2006	68	Plaintiff's Amended List of Exhibits, Notice of Filing and Certificate of Service by Equal Employment Opportunity Commission (Smason, Diane) (Entered: 01/09/2006)
01/09/2006	69	ATTORNEY Appearance for Plaintiff Equal Employment Opportunity Commission by Diane Ilene Smason <i>Appearance of Jean Kamp</i> (Attachments: # 1 Notice of Filing Notice of Filing and Certificate of Service)(Smason, Diane) (Entered: 01/09/2006)
01/09/2006	71	Exhibit List <i>Defendant's Revised Trial Exhibit List</i> by U-Haul International, Inc., U-Haul of Illinois, Inc.. (Cribaro-Mello, Camille) (Entered: 01/09/2006)
01/09/2006	72	NOTICE by U-Haul International, Inc., U-Haul of Illinois, Inc. <i>Notice of Filing of Defendant's Revised Trial Exhibit List</i> (Cribaro-Mello, Camille) (Entered: 01/09/2006)
01/10/2006	73	MINUTE entry before Judge Joan H. Lefkow : Jury trial begins. Trial held and continued to 1/11/2006 at 10:00 AM. In court notice (mad,) (Entered: 01/11/2006)
01/11/2006	74	MINUTE entry before Judge Joan H. Lefkow : Jury trial held and continued to 1/12/2006 at 09:45 AM. In court notice (mad,) (Entered: 01/11/2006)
01/12/2006	75	MINUTE entry before Judge Joan H. Lefkow : Jury trial held and continued to 1/13/2006 at 09:30 AM. In court notice (mad,) (Entered: 01/13/2006)
01/13/2006	76	MOTION by Defendants for judgment as a matter of law. (lcw,) (Entered: 01/18/2006)
01/13/2006	77	MINUTE entry before Judge Joan H. Lefkow : Jury trial held. Defendants' motion for judgment as a matter of law 76 is denied without prejudice. Jury deliberation held. Jury trial ends. Jury returns a verdict that as to both defendants U-Haul International, Inc. and U-Haul of ILlinois, plaintiff has not proven that Gary Townes' complaints of race discrimination were a motivating factor for the decision to demote him and plaintiff has not proven that Gary Townes' complaints of race discrimination were a motivating factor for the decision to terminate his employment. Judgment entered in favor of defendants and against plaintiff. Civil case terminated. (mjc,) (Entered: 01/19/2006)
01/13/2006	79	Verdict Form as to defendat U-Haul of Illinois only. (mjc,) (Entered: 01/19/2006)
01/13/2006	80	JUROR Note.(mjc,) (Entered: 01/19/2006)
01/13/2006	81	JURY Instructions.(mjc,) (Entered: 01/19/2006)
01/17/2006	78	ENTERED JUDGMENT. (mjc,) (Entered: 01/19/2006)

07/13/2006	82	TRANSCRIPT of proceedings for the following dates: 1/13/06; Before the Honorable Joan H. Lefkow. (mjc,) (Entered: 07/17/2006)
08/08/2006	83	EXCERPT OF TRANSCRIPT of proceedings for the following dates: 1/10/06, 1/11/06, 1/11/06,1/12/06; Before the Honorable Joan H. Lefkow. (4 vols.) (83-1 thru 83-4) (mjc,) (Entered: 08/09/2006)

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