

**U.S. District Court
Southern District of Illinois (Benton)
CIVIL DOCKET FOR CASE #: 4:05-cv-04037-JLF-DGW**

USA v. City of Cairo, IL
Assigned to: Judge James L. Foreman
Referred to: Magistrate Judge Donald G. Wilkerson
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/03/2005
Date Terminated: 08/28/2006
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

USA

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V.

Defendant

City of Cairo IL

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Date Filed	#	Docket Text
03/03/2005	<u>1</u>	COMPLAINT against City of Cairo IL , filed by USA. (Attachments: # <u>1</u> Civil Cover Sheet)(jep) (Entered: 03/04/2005)
03/03/2005	<u>2</u>	Summons Issued as to City of Cairo IL. (jep) (Entered: 03/04/2005)
04/13/2005	<u>3</u>	Summons Issued as to City of Cairo IL. (dka,) (Entered: 04/13/2005)
04/15/2005	<u>4</u>	SUMMONS Returned Executed City of Cairo IL served on 4/14/2005, answer due 5/4/2005. (jep) (Entered: 04/18/2005)
04/29/2005	<u>5</u>	Motion and Order to Appear Pro Hac Vice granting appearance of Attorney Alan W. McIntyre for City of Cairo IL. \$100.00 fee paid,receipt number 400-58548 (Attachments: # <u>1</u> Order) (jep) (Entered: 04/29/2005)
06/22/2005	<u>6</u>	STRICKEN PURSUANT TO 6/23/05 NOTICE – First MOTION for Default Judgment as to <i>Filing of Answer to Complaint</i> by USA. Responses due by 7/22/2005 (Rao, Sonya) Modified on 6/23/2005 (vlm). (Entered: 06/22/2005)
06/22/2005	<u>7</u>	STRICKEN PURSUANT TO 6/23/05 NOTICE – MEMORANDUM in Support re <u>6</u> First MOTION for Default Judgment as to <i>Filing of Answer to Complaint</i> filed by USA. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u> # <u>11</u>)(Rao, Sonya) Modified on 6/23/2005 (vlm). (Entered: 06/22/2005)

06/22/2005	<u>8</u>	STRICKEN PURSUANT TO 6/23/05 NOTICE – MEMORANDUM in Support re <u>6</u> First MOTION for Default Judgment as to <i>Filing of Answer to Complaint Proposed Order Granting United States' Motion for a Default Judgment Against Defendant City of Cairo, Illinois</i> filed by USA. (Rao, Sonya) Modified on 6/23/2005 (vlm). (Entered: 06/22/2005)
06/23/2005	<u>9</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>6</u> Motion for Default Judgment filed by USA, striking <u>7</u> Memorandum in Support of Motion filed by USA, and striking <u>8</u> Memorandum in Support of Motion filed by USA. See attached document for specifics (vlm) (Entered: 06/23/2005)
06/23/2005	<u>10</u>	First MOTION for Entry of Default <i>Against the City of Cairo, Illinois</i> by USA. (Attachments: # <u>1</u> # <u>2</u>)(Rao, Sonya) (Entered: 06/23/2005)
06/23/2005	<u>11</u>	Clerk's ENTRY OF DEFAULT (NGJ/vlm) as to City of Cairo IL. (vlm) (Entered: 06/23/2005)
06/30/2005	<u>12</u>	STRICKEN PURSUANT TO JUNE 30, 2005 NOTICE – MOTION for Leave to File <i>Answer</i> by City of Cairo IL. (O'Shea, Michael) Modified on 6/30/2005 (vlm,). (Entered: 06/30/2005)
06/30/2005	<u>13</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>12</u> Motion for Leave to File filed by City of Cairo IL. See attached document for specifics (vlm,) (Entered: 06/30/2005)
06/30/2005	<u>14</u>	MOTION for Leave to File by City of Cairo IL. (O'Shea, Michael) (Entered: 06/30/2005)
07/01/2005	<u>15</u>	ORDER GRANTING <u>14</u> MOTION for Leave to File filed by City of Cairo IL. Clerk's Order of Default dated June 23, 2005 <u>11</u> is VACATED. Signed by Judge Donald G. Wilkerson on July 1, 2005. (iag) (Entered: 07/01/2005)
07/01/2005	<u>16</u>	ANSWER to Complaint with Jury Demand by City of Cairo IL.(O'Shea, Michael) (Entered: 07/01/2005)
07/14/2005	<u>17</u>	CJRA TRACK B assigned: Final Pretrial Conference set for 8/28/2006 09:30 AM in Benton Court House before Judge James L. Foreman. Presumptive Jury Trial Month set for 9/2006 in Benton Court House before Judge James L. Foreman. (vlm,) (Entered: 07/14/2005)
07/18/2005	<u>18</u>	NOTICE TO COUNSEL: Telephonic Scheduling/Discovery Conference set for 8/18/2005 09:00 AM before Mag/Judge Donald G. Wilkerson. (rmb) (Entered: 07/18/2005)
07/25/2005	<u>19</u>	STRICKEN PURSUANT TO NOTICE DATED JULY 26, 2005 – MOTION to Withdraw as Attorney by City of Cairo IL. (O'Shea, Michael) Modified on 7/26/2005 (vlm,). (Entered: 07/25/2005)
07/26/2005	<u>20</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>19</u> Motion to Withdraw as Attorney filed by City of Cairo IL. See attached document for specifics (vlm,) (Entered: 07/26/2005)
07/26/2005	<u>21</u>	MOTION to Withdraw as Attorney by City of Cairo IL. (O'Shea, Michael) (Entered: 07/26/2005)
07/28/2005	<u>22</u>	SCHEDULING ORDER: Discovery due by 4/29/2006. Dispositive Motions due by 5/13/2006. Signed by Judge Donald G. Wilkerson on 7/28/05. Telephonic Scheduling/Discovery Conference set for 8/18/2005 09:00 AM before Mag/Judge Donald G. Wilkerson is hereby CANCELED. (rmb) (Entered: 07/28/2005)
07/28/2005	<u>23</u>	ORDER AND NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 5/15/2006 09:00 AM in East St. Louis Court House before Mag/Judge Donald G. Wilkerson. Signed by Judge Donald G. Wilkerson on 7/28/05. (rmb) (Entered: 07/28/2005)
07/28/2005	<u>24</u>	ORDER REGARDING DISCOVERY. Signed by Judge Donald G. Wilkerson on 7/28/05. (rmb) (Entered: 07/28/2005)

07/29/2005	25	ORDER GRANTING <u>21</u> MOTION to Withdraw as Attorney filed by City of Cairo IL. Attorney Alan W. McIntyre terminated. Signed by Judge Donald G. Wilkerson on July 29, 2005. (iag) (Entered: 07/29/2005)
10/19/2005	26	NOTICE of Hearing: Sonya Rao contacted chambers regarding a discovery dispute between the parties. A Telephonic Discovery Dispute Conference is set for 10/20/2005 at 03:00 PM before Mag/Judge Donald G. Wilkerson. The Attorney for the United States is to initiate the conference call. The conference number is 618-482-9004.(iag) (Entered: 10/19/2005)
10/20/2005	27	Minute Entry for proceedings held before Judge Donald G. Wilkerson: Telephonic Discovery Dispute Conference held on 10/20/2005. Attorney Sonya A. Rao for plaintiff and Attorney Michael P. O'Shea, Jr. for defendant present. Order to issue. (Court Reporter n/a.) (rmb) (Entered: 10/21/2005)
10/21/2005	<u>28</u>	ORDER: Action due by 11/4/2005. Discovery due by 5/12/2006. Motions due by 5/26/2006. See order for specifics.Signed by Judge Donald G. Wilkerson on October 21, 2005. (iag) (Entered: 10/21/2005)
12/07/2005	29	ORDER: Sonya Rao, attorney for plaintiff, contacted chambers today regarding a discovery dispute between the parties. A Telephonic Discovery Dispute Conference is set for 12/12/2005 at 11:30 AM before Mag/Judge Donald G. Wilkerson. Plaintiff to initiate the conference call. See Court's webpage for further instructions.Signed by Judge Donald G. Wilkerson on December 7, 2005. (iag) (Entered: 12/07/2005)
12/12/2005	30	Minute Entry for proceedings held before Judge Donald G. Wilkerson : Telephonic Discovery Dispute Conference held on 12/12/2005. Attorney Sonya A. Rao for United States and Attorney Michael P. O'Shea, Jr. for Defendnt present. Order to issue. (Court Reporter n/a.) (rmb) (Entered: 12/13/2005)
12/13/2005	<u>31</u>	ORDER re Telephonic Discovery Dispute Conference. See Order for specifics. Action due by 1/6/2006.Signed by Judge Donald G. Wilkerson on December 13, 2005. (iag) (Entered: 12/13/2005)
02/22/2006	32	ORDER: Sonya Rao, attorney for the plaintiff, contacted chambers on February 21, 2006 regarding a discovery dispute between the parties (payroll information). A Telephonic Discovery Dispute Conference is set for 3/1/2006 at 02:00 PM before Mag/Judge Donald G. Wilkerson.Signed by Judge Donald G. Wilkerson on February 22, 2006. (iag)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/22/2006)
02/27/2006	33	ORDER: The Telephonic Discovery Dispute Conference is RESET and CONVERTED INTO AN IN PERSON DISCOVERY DISPUTE CONFERENCE on 3/8/2006 09:30 AM in East St. Louis Court House before Mag/Judge Donald G. Wilkerson. The dispute involves payroll records and 30(b)6 depositions.Signed by Judge Donald G. Wilkerson on February 27, 2006. (iag)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/27/2006)
03/06/2006	<u>34</u>	First MOTION for Sanctions <i>Against the City of Cairo, Illinois Under Federal Rule of Civil Procedure 37(d)</i> by USA. (Attachments: # <u>1</u> Exhibit A:Rao Declaration# <u>2</u> Exhibit B:30(b)(6) Deposition Notice to Cairo# <u>3</u> Exhibit C:12/08/05 Subpoena to Cairo# <u>4</u> Exhibit D:Bosecker Deposition Excerpt# <u>5</u> Exhibit E: Sudduth Deposition Excerpts# <u>6</u> Exhibit F: Farris Deposition Excerpts# <u>7</u> Exhibit G: 1/26/2006 Letter from Rao to O'Shea# <u>8</u> Exhibit H: Scheduling Order in U.S. v. City of Cairo, Illinois# <u>9</u> Exhibit I: 2/07/2006 Letter from Rao to O'Shea# <u>10</u> Exhibit J: Notice of Continuation of 30(b)(6) Deposition of Cairo# <u>11</u> Exhibit K: 2/07/2006 Subpoena to City of Cairo# <u>12</u> Exhibit L: 2/21/2006 Letter and Fax Confirmation from Rao to O'Shea# <u>13</u> Exhibit M: 2/22/2006 letter from Holmes to Rao# <u>14</u> Exhibit N: "Failure to Appear for Deposition" transcript# <u>15</u> Exhibit O: Travel Voucher for Sonya Rao# <u>16</u> Exhibit P: Travel Receipts for Sonya Rao# <u>17</u> Exhibit Q: Court Reporter Bill for 2/27/2006# <u>18</u> Exhibit R: Declaration of Mac G. McConkey)(Rao, Sonya) (Entered: 03/06/2006)
03/06/2006	<u>35</u>	STRICKEN PURSUANT TO 3/7/06 NOTICE – SUPPLEMENT by USA. Supplement to <u>34</u> Motion for Sanctions,,,, <i>Proposed Order</i> . (Rao, Sonya) Modified on 3/7/2006 (vlm,). (Entered: 03/06/2006)

03/07/2006	<u>36</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>35</u> Supplement (Proposed Order) filed by USA. See attached document for specifics (vlm,) (Entered: 03/07/2006)
03/07/2006	37	ORDER STRIKING re <u>34</u> First MOTION for Sanctions <i>Against the City of Cairo, Illinois Under Federal Rule of Civil Procedure 37(d)</i> filed by USA. Signed by Judge Donald G. Wilkerson on March 7, 2006. (iag)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/07/2006)
03/08/2006	38	Minute Entry for proceedings held before Judge Donald G. Wilkerson: In-person Discovery Dispute Conference held on 3/8/2006. Case called at 9:30 am. Sonya A. Rao present for plaintiff (also present – Laura Jones). Defense Counsel, Michael P. O'Shea, not present. Court recessed to reconvene at 1:25 pm. During recess, Court is notified by Attorney O'Shea's office that he has passed away this morning. At 1:25 pm case is called again. Parties are notified of information received regarding Defense Counsel. Government requests a 60-day stay of discovery. Court grants stay, but will advise as to timeline. Order to issue. (Court Reporter Molly Clayton.) (rmb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/08/2006)
03/08/2006	<u>39</u>	ORDER regarding In-person Discovery Conference held today at Minutes of Court 38 . Discovery stayed. See Order for specifics. Signed by Judge Donald G. Wilkerson on 3/8/06. (rmb) (Entered: 03/08/2006)
04/26/2006	40	NOTICE of Hearing: In-person Status Conference set for 5/4/2006 09:00 AM in East St. Louis Court House before Mag/Judge Donald G. Wilkerson. (rmb) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 04/26/2006)
04/26/2006	41	Received "bounce back" re: Michael O'Shea Jr. (doc 40 – Notice of Hearing). Tried to call Mr. O'Shea's office and received recording advising that telephone had been disconnected. (dka,) (Entered: 04/26/2006)
04/27/2006	<u>42</u>	First MOTION for Extension of Time to <i>Complete Discovery and Dispositive Motions and to Change the Presumptive Trial Month</i> by USA. (Attachments: # <u>1</u> Exhibit A — Uniform Trial Practice and Procedures from Clerk of Court, dated July 14, 2005# <u>2</u> Exhibit B — Order of the Court, dated October 21, 2005# <u>3</u> Exhibit C — Order of the Court, dated March 8, 2006)(Rao, Sonya) (Entered: 04/27/2006)
04/28/2006	<u>43</u>	NOTICE of Appearance by Alan W. McIntyre on behalf of City of Cairo IL (McIntyre, Alan) (Entered: 04/28/2006)
05/04/2006	44	Minute Entry for proceedings held before Judge Donald G. Wilkerson: In-person status and discovery dispute conference held 5/4/2006. Sonya A. Rao appeared for Plaintiff the United States of America and Alan W. McIntyre appeared for Defendant City of Cairo, Illinois. Discovery deadlines extended: Discovery due by 8/8/2006. Dispositive Motions due by 8/23/2006. Presumptive Jury Trial Month set for 12/2006 in Benton Court House before Judge James L. Foreman. Settlement Conference scheduled for June 19, 2006 at 9:00 a.m. at the courthouse in East St. Louis, IL, before Judge Donald G. Wilkerson. As regards to: three (3) discovery disputes: 1) The City of Cairo is ordered to produce to the United States by May 19, 2006 an answer to its Interrogatory No. 13 for the years 2000, 2001, 2002, 2003 and the second half of 2005 by May 19, 2006; 2) The City of Cairo agrees to produce the answers to Plaintiff' Second Request for Production to Defendant by May 12, 2006; and 3) the City of Cairo through Alan W. McIntyre agrees to produce persons with knowledge for a Fed.R.Civ.P. 30(b)(6) deposition on May 18, 2006. (Court Reporter n/a.) (rmb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/08/2006)
05/04/2006	<u>45</u>	ORDER AND NOTICE OF SETTLEMENT CONFERENCE: Settlement Conference set for 6/19/2006 09:00 AM in East St. Louis Court House before Mag/Judge Donald G. Wilkerson.(rmb) (Entered: 05/08/2006)

05/08/2006	46	ORDER GRANTING <u>42</u> First MOTION for Extension of Time to <i>Complete Discovery and Dispositive Motions and to Change the Presumptive Trial Month</i> filed by USA. The deadlines listed in the May 4, 2006 minute entry 44 shall govern this case. Signed by Judge Donald G. Wilkerson on 5/8/06. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/08/2006)
05/08/2006	<u>47</u>	NOTICE by USA of <i>Notice of Appearance of Wonkee Moon</i> (Rao, Sonya) (Entered: 05/08/2006)
05/09/2006	<u>48</u>	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>47</u> Notice (Other) filed by USA. See attached document for specifics (myz) (Entered: 05/09/2006)
05/22/2006	49	ORAL ORDER by District Judge James L. Foreman resetting the Final Pretrial Conference for 11/6/2006 09:30 AM in Benton Court House before Judge James L. Foreman. Presumptive Jury Trial month set for 12/2006 in Benton Court House before Judge James L. Foreman.(vlm,)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 05/22/2006)
06/09/2006	50	Set/Reset Hearings: Due to a conflict of the Court's schedule, Settlement Conference RESET for 9/7/2006 09:00 AM in East St. Louis Court House before Mag/Judge Donald G. Wilkerson. (rmb) (Entered: 06/09/2006)
06/09/2006	<u>51</u>	Joint MOTION to Withdraw as Attorney by City of Cairo IL. (Cox, Patrick) (Entered: 06/09/2006)
06/09/2006	<u>52</u>	NOTICE of Appearance by Patrick J. Cox on behalf of City of Cairo IL (Cox, Patrick) (Entered: 06/09/2006)
06/13/2006	53	ORDER GRANTING <u>51</u> Joint MOTION to Withdraw as Attorney filed by City of Cairo IL. Attorney Alan W. McIntyre terminated. Signed by Judge Donald G. Wilkerson on 6/13/06. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/13/2006)
07/18/2006	54	NOTICE of Hearing: Telephonic Discovery Dispute Conference set for 7/19/2006 10:00 AM before Mag/Judge Donald G. Wilkerson. Plaintiff to initiate the conference call. Court's conference number is 618-482-9004. Parties should be prepared to discuss the discovery dispute and the schedule in this case. Plaintiff to e-mail or FAX (618-482-9277) disputed material to chambers prior to the conference.(sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/18/2006)
07/19/2006	55	Minute Entry for proceedings held before Judge Donald G. Wilkerson: Telephonic Discovery Dispute Conference held on 7/19/2006. Attorneys Sonya A. Rao for the plaintiff and Patrick J. Cox for the defendant. The parties indicate that they are close to settling this matter. Therefore, a telephonic Status Conference is set for 8/1/2006 01:30 PM before Mag/Judge Donald G. Wilkerson. Plaintiff to initiate the conference call. If the case does not settle by that time, the Court will take up the issue of the schedule in this case and any remaining discovery disputes. (Court Reporter N/A.) (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/19/2006)
08/01/2006	56	Minute Entry for proceedings held before Judge Donald G. Wilkerson: Telephonic Status Conference held on 8/1/2006. Attorneys Sonya A. Rao and WonKee Moon for the plaintiff and Patrick J. Cox for the defendant. The parties indicate that they are close to settling this matter, but mutually request additional time. Therefore, a telephonic Status Conference is set for Thursday, 8/10/2006 at 3:00 PM before Mag/Judge Donald G. Wilkerson. Plaintiff to initiate the conference call. Discovery deadlines extended: Discovery due by 8/18/2006. (Court Reporter N/A)(jdn) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/01/2006)
08/10/2006	57	Minute Entry for proceedings held before Judge Donald G. Wilkerson: Telephonic Status Conference held on 8/10/2006. Attorneys Sonya A. Rao and WonKee Moon for plaintiff and Patrick J. Cox for defendant. Order to issue. (Court Reporter N/A.) (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER

		DOCUMENTATION WILL BE MAILED. (Entered: 08/10/2006)
08/10/2006	<u>58</u>	ORDER re 57 Status Conference held on 8/10/06. Signed by Judge Donald G. Wilkerson on 8/10/06. (sgp) (Entered: 08/10/2006)
08/17/2006	<u>59</u>	Joint MOTION to Approve Consent Judgment <i>and enter Consent Decree</i> by USA. (Attachments: # <u>1</u> Consent Decree# <u>2</u> Certificate of Service)(Moon, WonKee) (Entered: 08/17/2006)
08/21/2006	<u>60</u>	NOTICE OF ERRORS AND/OR DEFICIENCIES re <u>59</u> Motion to Approve Consent Judgment filed by USA. See attached document for specifics regarding proposed consent decree (vlm,) (Entered: 08/21/2006)
08/28/2006	<u>61</u>	CONSENT DECREE Signed by Judge James L. Foreman on 8/28/06. (msd,) (Entered: 08/28/2006)
08/07/2007	<u>62</u>	MOTION to Substitute Attorney by USA. (Blutter, Sarah) (Entered: 08/07/2007)
08/14/2007	63	ORDER GRANTING <u>62</u> Motion to Substitute Attorney. Attorney WonKee Moon and Sonya A. Rao terminated. Signed by Judge Donald G. Wilkerson on 8/14/2007. (brk) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/14/2007)