

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Springfield)
CIVIL DOCKET FOR CASE #: 3:95-cv-03067-RM-CHE**

USA v. Board of Regents, et al
Assigned to: Judge Richard Mills
Referred to: Magistrate Judge Charles H. Evans
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/02/1995
Date Terminated: 03/28/1997
Jury Demand: None
Nature of Suit: 442 Civil Rights:
Jobs
Jurisdiction: Federal Question

Plaintiff

USA

represented by **Elizabeth I Hack**
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V.

Defendant

Board of Trustees
Board of Trustees of Illinois
State University

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Defendant

Board of Regents
TERMINATED: 03/13/1997

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Claimant

Thomas E Gray

represented by **Thomas E Gray**
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Claimant

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represented by **Thomas L Anderson**
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Objector

**American Federation of State,
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Employees**
Council 31, AFL-CIO

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Amicus

**State University Retirement
System**

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Date Filed	#	Docket Text
03/02/1995	1	COMPLAINT filed; case referred to Mag. Judge Charles H. Evans (BR, ilcd) (Entered: 03/03/1995)
05/11/1995	2	WAIVER OF SERVICE returned by defendant Board of Regents on 3/7/95 ; Answers due on 7/10/95 for Board of Regents (CT, ilcd) (Entered: 05/15/1995)
06/19/1995	3	ANSWER by defendant (BW, ilcd) (Entered: 06/19/1995)
07/05/1995		MINUTE-ENTRY: by Mag. Judge Charles H. Evans ;Telephone Status Scheduling hearing set 10:00 8/22/95 (cc: all counsel) (JR, ilcd) (Entered: 07/10/1995)
08/11/1995	4	PROPOSED DISCOVERY PLAN filed by defendant Board of Regents (MC, ilcd) (Entered: 08/14/1995)

08/14/1995	5	REPORT OF PARTIES' Planning Meeting Pursuant to Rule 26 (f) Of The Federal Rules of Civil Procedure and Proposed Scheduling Order filed by plaintiff, defendant (BW, ilcd) (Entered: 08/14/1995)
08/22/1995		MINUTE-ENTRY: by Mag. Judge Charles H. Evans : Telephone conference with attys Hack & Posegate: A. Status, scheduling, further proceedings considered. Attys proposed limited discovery for 90 days then considered non binding A.D.R. by mediator. Court accepts proposal for 90 days limited discovery but not the A.D.R telephone status scheduling conference set 12/5/95 at 9:00 am. (cc: all counsel) (CT, ilcd) (Entered: 08/23/1995)
10/27/1995	6	CERTIFICATE of Service of Deft's REsp to Pltf's 1st Request for Production & Deft's Answers to Pltf 1st set of Interrogatories by defendant Board of Regents (BR, ilcd) (Entered: 10/27/1995)
12/05/1995		MINUTE-ENTRY: by Mag. Judge Charles H. Evans: Telephone conference with Attys Lewis, Hack and Posegate. A. Status, scheduling, further proceedings considered. Parties have been engaging in discovery. Deft Board to non-exist after end of 1995; Pltf and Deft uncertain regarding status, substitution, etc., of deft as party thereafter. Parties not pursuing A.P.R. Need scheduling. B. Scheduling time limits ordered: 1. No motion to join other parties and to amend pleadings to be filed; 2. 4/5/96 for pltf to identify experts; 3. 6/5/96 for deft to identify experts; 4. 8/5/96 to complete discovery; 5. 8/19/96 to file dispositive motions; 6. 10:30 11/18/96 for final pre-trial conference; 7. 9:00 12/3/96 for trial . See written order to be entered. (cc: all counsel) (CT, ilcd) Modified on 12/07/1995 (Entered: 12/07/1995)
12/07/1995	7	SCHEDULING ORDER: 1. No motions to join other parties and to amend the pleadings to be filed. 2. 8/5/96 to complete discovery. 3. 8/19/96 to file dispositive motions. 4. 11/18/96 at 10:30 am for final pre-trial conference. 5. 12/3/96 at 9:00 am for trial. 6. 4/5/96 for all pltf's to identify testifying experts. 6/5/96 for all defts to identify testifying experts. (cc: all counsel) (CT, ilcd) (Entered: 12/07/1995)
01/31/1996	8	CERTIFICATE of service of Deft's Request to Produce to Pltf and Deft's Interrogatories to pltf by defendant Board of Regents (BR, ilcd) (Entered: 02/01/1996)
02/07/1996	9	ATTORNEY APPEARANCE for plaintiff of Atty. Luis A. Lavin replacing Elizabeth I. Hack (BW, ilcd) (Entered: 02/07/1996)

		02/07/1996)
02/15/1996	10	MOTION by plaintiff to bifurcate the issues of liability and individual relief (JR, ilcd) (Entered: 02/15/1996)
02/15/1996	11	MEMORANDUM IN SUPPORT of motion to bifurcate the issues of liability and individual relief [10-1] by plaintiff (JR, ilcd) (Entered: 02/15/1996)
03/01/1996	12	MEMORANDUM IN OPPOSITION motion to bifurcate the issues of liability and individual relief [10-1] by defendant Board of Regents (BR, ilcd) (Entered: 03/01/1996)
03/07/1996	13	ORDER by Judge Richard Mills granting motion to bifurcate the issues of liability and individual relief [10-1] (cc: all counsel) (CT, ilcd) (Entered: 03/07/1996)
03/08/1996	14	MOTION by plaintiff, defendant to extend time for discovery pending resolution of plaintiff's motion to bifurcate (CT, ilcd) (Entered: 03/08/1996)
03/08/1996	15	MEMORANDUM IN SUPPORT of motion to extend time for discovery pending resolution of plaintiff's motion to bifurcate [14-1] by plaintiff, defendant (CT, ilcd) (Entered: 03/08/1996)
03/08/1996	16	CERTIFICATE by USA of Service of Motion to extend discovery pending resolution of plaintiff's motion to bifurcate (CT, ilcd) (Entered: 03/08/1996)
03/15/1996		MINUTE-ENTRY: by Mag. Judge Charles H. Evans: Telephone conference with Attys Lewis, Lavin, Posegate and Herman. A. Status, pending motions further proceedings considered. B. [14-1] Joint Motion to Extend Discovery Pending Resolution of Plaintiff's Motion to Bifurcate. Attys have received Court's Order [13-1] of bifurcation. Attys Oral Motion to withdraw Motion [14-1] allowed. Attys informed bifurcation does not mean a break to allow discovery on damages if liability is found. (cc: all counsel) (CT, ilcd) (Entered: 03/15/1996)
06/03/1996	17	MOTION by plaintiff for order to substitute defendant (JR, ilcd) (Entered: 06/04/1996)
06/04/1996	18	MEMORANDUM IN SUPPORT of motion for order to substitute defendant [17-1] by plaintiff (JR, ilcd) (Entered: 06/04/1996)
06/06/1996		ENDORSED ORDER on its face by Mag. Judge Charles H. Evans granting motion for order to substitute defendant [17-1] (cc: all counsel). (CT, ilcd) (Entered: 06/06/1996)

08/06/1996	19	JOINT MOTION by plaintiff USA, defendant Board of Regents for extension of time of discovery deadline and for filing of dispositive motions (GU, ilcd) (Entered: 08/07/1996)
08/08/1996		ENDORSED ORDER on its face by Mag. Judge Charles H. Evans granting motion for extension of time of discovery deadline and for filing of dispositive motions [19-1] ; Discovery set for 8/16/96 , ; Mtn filing ddl set for 8/30/96 (cc: all counsel). (JR, ilcd) (Entered: 08/12/1996)
08/14/1996	20	CERTIFICATE of filing of Motion for Partial Summary Judgment, Memorandum, Statement of Undisputed Facts and Declaration w/exhibits by plaintiff USA (BR, ilcd) (Entered: 08/15/1996)
08/14/1996	21	MOTION by plaintiff USA for partial summary judgment (BR, ilcd) (Entered: 08/15/1996)
08/14/1996	22	MEMORANDUM IN SUPPORT of motion for partial summary judgment [21-1] by plaintiff (BR, ilcd) (Entered: 08/15/1996)
08/14/1996	23	STATEMENT OF UNDISPUTED FACTS by plaintiff USA in support of motion for partial summary judgment [21-1] (BR, ilcd) (Entered: 08/15/1996)
08/14/1996	24	DECLARATION of LUIS A LAVIN regarding motion for partial summary judgment [21-1] (BR, ilcd) (Entered: 08/15/1996)
08/16/1996	25	NOTICE by Board of Regents of service of Deft's Response to Pltf's Second Set of Interrogatories; Deft's Response to Pltf's First Set of Requests for Admission; Deft's Response to Pltf's Second Request for Production. (CT, ilcd) (Entered: 08/16/1996)
09/05/1996		MINUTE-ENTRY: by Judge Richard Mills: Pltf filed a motion for summary judgment [21-1] on 8/14/96 to which deft has not yet responded, in violation of Local Rule 7.1 (B). Deft is ordered to file their response, if any, by 9/13/96. Failure to timely respond may result in the Court deeming the motions confessed. See CDIL 7.1(B) (cc: all counsel) (CT, ilcd) (Entered: 09/05/1996)
09/13/1996	26	NOTICE of Service deft's memo in opposition to pltf's mo for partial summary judgment by defendant (BW, ilcd) (Entered: 09/16/1996)
09/13/1996	27	MEMORANDUM IN OPPOSITION To Motion For Partial

		Summary Judgment [21-1] by defendant (BW, ilcd) (Entered: 09/16/1996)
10/09/1996	28	ORDER by Judge Richard Mills: Unless deft files a response to Plaintiff's Statement of Undisputed Facts [23-1] by 10/17/96, the Court will deem admitted all statements of fact contained in Plaintiff's statement of undisputed facts. (cc: all counsel) (CT, ilcd) (Entered: 10/09/1996)
10/18/1996	29	STATEMENT OF FACTS (disputed) by defendant: in support of motion for partial summary judgment [21-1] (JR, ilcd) (Entered: 10/21/1996)
10/21/1996	30	ORDER by Judge Richard Mills. Defendant shall file a response to Plaintiff's statement of undisputed facts (d/e 23) by October 28, 1996. (cc: all counsel & by fax.) (GU, ilcd) (Entered: 10/21/1996)
10/22/1996	31	RESPONSE by defendant Board of Regents to Statement of Undisputed Facts [23-1] (GU, ilcd) (Entered: 10/23/1996)
10/22/1996	32	STATEMENT OF ADDITIONAL FACTS (Undisputed) by defendant Board of Regents : in support of memorandum in opposition [27-1] (GU, ilcd) (Entered: 10/23/1996)
10/31/1996	33	MOTION by plaintiff USA for leave to file response to Defendant's Statement of Additional Undisputed Facts (PR, ilcd) (Entered: 10/31/1996)
10/31/1996		MINUTE-ENTRY: by Judge Richard Mills granting motion for leave to file response to Defendant's Statement of Additional Undisputed Facts [33-1] (cc: all counsel) (PR, ilcd) (Entered: 10/31/1996)
10/31/1996	34	RESPONSE by plaintiff USA to Defendant's Statement of Additional Undisputed Facts [32-1] (PR, ilcd) (Entered: 10/31/1996)
10/31/1996	35	CERTIFICATE of Service of Documents 33 and 34 by plaintiff USA (PR, ilcd) (Entered: 10/31/1996)
11/01/1996	36	OPINION by Judge Richard Mills granting motion for partial summary judgment [21-1]; Deft is enjoined from engaging in any act or practice with respect to the Building Service Worker Learner Program at IL State University that has the purpose or effect of discriminating against any individual on the basis of race, national origin, or sex. (cc: all counsel) (BW, ilcd) (Entered: 11/01/1996)
11/01/1996	37	ORDER by Judge Richard Mills; Parties have twenty (20) days

		in which to discuss settlement of any individual claims for relief. misc ddl 11/21/96 After twenty days have passed, this matter will be referred to USMAG Judge Evans for entry of a scheduling order for the individual relief phase of this case. (cc: all counsel) (BW, ilcd) (Entered: 11/01/1996)
11/07/1996		MINUTE-ENTRY: by Judge Richard Mills. On Court's own motion this cause is continued from the December 1996 trial calendar to the January 1997 trial calendar. The currently scheduled Final Pretrial conference is reset to 3:30 p.m. on 12/30/96 ; Jury trial is reset to 9:00 a.m. on 1/7/97 (cc: all counsel) (GU, ilcd) (Entered: 11/07/1996)
11/18/1996	38	JOINT MOTION by plaintiff, defendant For Status Conference with the Magistrate Judge For Entry of A Scheduling Order For The Individual Relief (Stage II) Phase in Lieu of Final Pretrial Conference and Trial (BW, ilcd) (Entered: 11/19/1996)
11/18/1996	39	MEMORANDUM IN SUPPORT of Motion For Status Conference with the Magistrate Judge For Entry of A Scheduling Order For The Individual Relief (Stage II) Phase in Lieu of Final Pretrial Conference and Trial [38-1] by plaintiff, defendant (BW, ilcd) (Entered: 11/19/1996)
11/18/1996	40	CERTIFICATE of Service re motion & memo re request for status conference by plaintiff, defendant (BW, ilcd) (Entered: 11/19/1996)
11/20/1996		MINUTE-ENTRY 11/19/96: by Judge Richard Mills: Pursuant to the Courts order of 11/1/96 and the Parties' Joint Motion For Status Conference [38-1]. Motion allowed. Miscellaneous deadline of 11/21/96 satisfied by referring this cause to Magistrate Judge Charles H. Evans to conduct a status/scheduling conference regarding the individual liability phase of this case. All current settings are vacated. (cc: all counsel) (CT, ilcd) (Entered: 11/20/1996)
11/22/1996		MINUTE-ENTRY: by Mag. Judge Charles H. Evans ; Telephone Status hearing set for 2:00 on 12/13/96 (cc: all counsel) (GU, ilcd) (Entered: 11/22/1996)
12/04/1996		MINUTE-ENTRY of 12/3/96: by Mag. Judge Charles H. Evans Per atty Postgate's telephonic request, telephone status/scheduling set 12/13/96 is CANCELLED and Reset to: Thursday, December 19, 1996, at 3:30 pm. (cc: all counsel) (CT, ilcd) (Entered: 12/04/1996)
12/20/1996		MINUTE-ENTRY: by Mag. Judge Charles H. Evans.

		Telephone conference with Attys Lewis, Lavin and Posegate. Status, further proceedings considered. Parties trying to work out consent settlement decree. 1/15/97 to continue efforts. Telephone conference set for 1/28/97 at 9:00 a.m. (cc: all counsel) (BR, ilcd) (Entered: 12/24/1996)
01/21/1997	41	MOTION by plaintiff USA for entry of an order regarding individual relief proceedings and entry of an order of notification (BR, ilcd) (Entered: 01/23/1997)
01/21/1997	42	MEMORANDUM IN SUPPORT of motion for entry of an order regarding individual relief proceedings and entry of an order of notification [41-1] by plaintiff USA (BR, ilcd) (Entered: 01/23/1997)
01/21/1997	43	CERTIFICATE of service of Motion for entry of an order regarding individual relief by plaintiff USA (BR, ilcd) (Entered: 01/23/1997)
01/28/1997		MINUTE-ENTRY: by Judge Richard Mills re motion for entry of an order regarding individual relief proceedings and entry of an order of notification [41-1]; Hearing is set for 2:30 p.m. on 3/17/97 (cc: all counsel) (GU, ilcd) (Entered: 01/28/1997)
01/28/1997		MINUTE-ENTRY: by Mag. Judge Charles H. Evans ; Status hearing held 9:00 a.m. on 1/28/97. Attorneys Levin and Posegate. Status, pending motions considered. Attorneys in agreement re: motion (d/e 41). Defendant has no opposition to the motion and procedure outlined. (cc: all counsel) (MC, ilcd) (Entered: 01/29/1997)
01/31/1997	44	ORDER by Judge Richard Mills granting motion for entry of an order regarding individual relief proceedings and entry of an order of notification [41-1] Cause is set for a hearing regarding entry of an order regarding individual relief on 3/17/97 at 2:30 p.m. (cc: all counsel) (BR, ilcd) (Entered: 01/31/1997)
02/18/1997	45	ATTORNEY APPEARANCE of Michael W Johnson for plaintiff USA (BR, ilcd) (Entered: 02/20/1997)
02/28/1997	46	NOTICE of Hearing on 3/17/97 at 2:30 p.m. by defendant Board of Regents (BR, ilcd) (Entered: 03/04/1997)
03/07/1997	47	OBJECTIONS by objector AFSCME to motion for entry of an order regarding individual relief proceedings and entry of an order of notification [41-1] (MC, ilcd) (Entered: 03/10/1997)
03/07/1997	48	ATTORNEY APPEARANCE for objector AFSCME by attorney Melissa Auerbach (MC, ilcd) (Entered: 03/10/1997)

03/14/1997	49	OBJECTIONS by amicus St University Retire to order regarding individual relief proceedings [44-2] (BR, ilcd) (Entered: 03/14/1997)
03/17/1997	50	RESPONSE by plaintiff USA to the Objections filed by the Union and SURS to the Proposed Order Regarding Individual Relief Proceedings (Stage II) [49-1] (GU, ilcd) (Entered: 03/17/1997)
03/17/1997	51	CERTIFICATE OF SERVICE of Response to Objections by plaintiff USA (GU, ilcd) (Entered: 03/17/1997)
03/17/1997		MINUTE-ENTRY: by Judge Richard Mills. HEARING on Individual Relief. Attys Luis Lavin & Michael Johnson prsent for plaintiff. Atty Carol Hansen-Posegate present for defendants. Atty Bianca Truitt present for SURS; Atty Melissa Auerbach present for AFSCME. Parties have reached agreement concerning SURS objection to the proposed order. Parties stipulate to modifying paragraph 7 of the proposed order. Plaintiff to submit modified proposed order. (cc: all counsel) (GU, ilcd) (Entered: 03/17/1997)
03/24/1997	52	CERTIFICATE of Service re proposed order regarding individual relief proceedings by plaintiff (BW, ilcd) (Entered: 03/24/1997)
03/28/1997	53	ORDER by Judge Richard Mills Case terminated. (cc: all counsel) (CT, ilcd) (Entered: 03/28/1997)
03/28/1997	54	JUDGMENT in a civil case entered: this cause of action is dismissed with the Court retaining jurisdiction of this action for the purpose of entering any orders which may be necessary to implement the relief provided herein. (cc: all counsel) (CT, ilcd) (Entered: 03/28/1997)
05/28/1997	59	CERTIFICATE of Service by plaintiff of motion to schedule a fairness hearing to consider objections to proposed awards of individual relief and memorandum in support (JR, ilcd) (Entered: 05/29/1998)
06/05/1997	55	NOTICE of Service in accordance with the Court's Order of 3/28/97 by defendant (JR, ilcd) (Entered: 06/05/1997)
04/27/1998	56	OBJECTIONS by objector AFSCME to the United States' Report Regarding Individual Relief (JR, ilcd) (Entered: 04/28/1998)
05/28/1998	57	MOTION by plaintiff for hearing to consider objections to proposed awards of individual relief (JR, ilcd) (Entered: 05/28/1998)

		05/29/1998)
05/28/1998	58	MEMORANDUM IN SUPPORT of motion for hearing to consider objections to proposed awards of individual relief [57-1] by plaintiff (JR, ilcd) (Entered: 05/29/1998)
06/29/1998		MINUTE-ENTRY: by Senior Judge Richard Mills re objections to proposed individual relief [56-1]; Hearing is set for 10:00 a.m. on 9/29/98 (cc: all counsel) (GU, ilcd) (Entered: 06/29/1998)
06/30/1998	60	ORDER by Senior Judge Richard Mills: The United States' Motion To Schedule a Hearing to Consider Objections to Proposed Awards of Individual Relief [57-1] is ALLOWED. A hearing for the purposes of considering objections to the United States' proposed individual relief determinations will be held 10:00 9/29/98. Any objections to the United States' determination concerning the eligibility and/or the type of relief proposed to be awarded to all claimants who submitted claim forms must be made in writing by filing such objections with the Court and serving upon counsel for the US and the defendant no later than 20 business days prior to the hearing. Deft shall provide notice of the date, time, place and purpose of this hearing as provided in paragraph 18 of the Court's March 25, 1997 Order no later than 30 calendar days from the date of entry of this order. (cc: all counsel) (CT, ilcd) (Entered: 06/30/1998)
08/03/1998	61	OBJECTIONS by Thomas E Gray (CT, ilcd) (Entered: 08/04/1998)
08/24/1998	62	Notice of hearing on Sept. 29, 1998 at 10:00 a.m. (cc: all counsel) (GU, ilcd) (Entered: 08/25/1998)
08/25/1998	63	OBJECTIONS by Allen K. Love to examination date (JR, ilcd) (Entered: 08/25/1998)
08/27/1998	64	OBJECTIONS of Stephen R. Ross (JR, ilcd) (Entered: 08/31/1998)
09/02/1998	65	CLAIM by claimant Thomas L Anderson (Objection to USA's determination concerning eligibility for relief) (CT, ilcd) (Entered: 09/03/1998)
09/16/1998		MINUTE-ENTRY: by Senior Judge Richard Mills ; Hearing on objections to proposed individual relief is reset to 3:00 p.m. on 10/13/98 (cc: all counsel) (GU, ilcd) (Entered: 09/16/1998)
09/23/1998		MINUTE-ENTRY: by Senior Judge Richard Mills ; Hearing to

		consider objections to proposed awards of individual relief is reset to 1:30 p.m. on 11/23/98 (cc: all counsel) (GU, ilcd) (Entered: 09/23/1998)
09/23/1998	66	ORDER by Senior Judge Richard Mills. The hearing to consider objections to proposed awards of individual relief is RESCHEDULED to November 23, 1998, at 1:30 p.m. (cc: all counsel) (GU, ilcd) (Entered: 09/23/1998)
09/28/1998	67	RESPONSE by USA to the objections filed by the Union regarding the provision of retroactive seniority to identified victims [56-1]; and the objections filed by four claimants to the proposed awards of individual relief [61-1], [63-1], [64-1] (CT, ilcd) (Entered: 09/28/1998)
09/28/1998	68	CERTIFICATE by USA of service of Plaintiff's Response to Objections Filed by the Union Regarding the Provision of Retroactive Seniority to Identified Victims and Objections Filed by Four Claimants to the Proposed Awards of Individual Relief (CT, ilcd) (Entered: 09/29/1998)
10/13/1998	69	LETTER to Clerk from Thomas Gray re: status of case (MC, ilcd) (Entered: 10/14/1998)
10/14/1998	70	LETTER from Thomas Gray re: status of case (MC, ilcd) (Entered: 10/14/1998)
11/23/1998		MINUTE-ENTRY: by Senior Judge Richard Mills. HEARING on Objections to Proposed Relief. Attys Luis Lavin & Michael Johnson present for Govt. Atty Carol Hansen Posegate present for Illinois State University. Atty Linda Laugges present for State University Retirement System. Atty Melissa Auerbach present for AFSCME. Arguments heard on AFSCME's objection to relief. Objection overruled. Individuals' objections ruled on. . Govt to submit proposed order by December 23, 1998. misc ddl set 12/23/98 (cc: all counsel) (GU, ilcd) (Entered: 11/23/1998)
12/23/1998	71	ORDER approving individual relief awards and the award of full retroactive seniority relief to identified claimants by Senior Judge Richard Mills (cc: all counsel) (BR, ilcd) (Entered: 12/23/1998)
12/30/1998	72	TRANSCRIPT filed of Hearing on Objections to Proposed Relief on 11/23/98 (RA, ilcd) (Entered: 01/04/1999)
01/13/1999	73	LETTER - of Thomas E. Gray acknowledging receipt of proposed order approving individual relief awards and award of full retroactive seniority relief to identified claimants on

		12/21/98 (BW, ilcd) (Entered: 01/15/1999)
01/15/1999	74	CERTIFICATE OF SERVICE by defendant Board of Trustees of Releases and Individual Claim Forms to all individuals listed in Judge Mills' order of 12/23/98. (RA, ilcd) (Entered: 01/19/1999)
01/29/1999	75	LETTER to Judge Mills from Thomas E. Gray regarding receipt of Order. (CT, ilcd) (Entered: 01/29/1999)
02/18/1999	76	CERTIFICATE OF SERVICE by plaintiff/claimant James William Shive, Jr. of Individual relief for and release of all claims to defendants (RA, ilcd) (Entered: 02/23/1999)
03/02/1999	77	CERTIFICATE of Service of monetary awards of 30 claimants by defendant Board of Trustees (BR, ilcd) Modified on 04/05/1999 (Entered: 03/03/1999)

PACER Service Center

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PACER Login:	wu0079	Client Code:	Baker
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