

PROTO, SCHENKIER, TERMED

United States District Court
Northern District of Illinois – CM/ECF LIVE, Ver 3.2.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:01-cv-00210

Espana, et al v. MW Wire Specialties
Assigned to: Hon. Sidney I. Schenkier
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/11/2001
Date Terminated: 10/08/2002
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Zaida Espana

represented by **Uche O. Asonye**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Vitalia Mero

represented by **Uche O. Asonye**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Virginia Munoz
*on behalf of themselves and all others
similarly situated*

represented by **Uche O. Asonye**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Midwest Wire Specialties, Inc.

represented by **Donna S. Colley**
Berens & Tate
10050 Regency Circle
Suite 400
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(402) 391-1991
LEAD ATTORNEY
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TERMINATED: 01/22/2002

Date Filed	#	Docket Text
01/11/2001	<u>1</u>	COMPLAINT (Exhibits) jury demand – Civil cover sheet – Appearance(s) of Uche O. Asonye as attorney(s) for all plaintiffs (No summons(es) issued.) (Documents: 1–1 through 1–3) (hp) (Entered: 01/12/2001)
01/11/2001		RECEIPT regarding payment of filing fee paid; on 1/11/01 in the amount of \$150.00, receipt #10112261. (hp) (Entered: 01/12/2001)
01/29/2001		SCHEDULE set on 1/29/01 by Hon. Rebecca R. Pallmeyer : Status hearing set before Judge Pallmeyer for 9:00 on 3/14/01, courtroom 2119. Mailed notice (etv) (Entered: 01/29/2001)
02/09/2001	2	APPLICATION for leave to appear pro hac vice by Donna S. Colley for defendant; Order entered granting leave by Hon. Rebecca R. Pallmeyer. (yp) (Entered: 02/14/2001)
03/05/2001	3	ATTORNEY APPEARANCE for defendant by Donna S. Colley, Jane Farwell Anderson and Thomas Stephen Moore (jmp) (Entered: 03/06/2001)
03/09/2001	4	ANSWER by defendant and affirmative defenses to plaintiffs' complaint [1–1]; Notice. (mw) (Entered: 03/12/2001)
03/12/2001		SCHEDULE set on 3/12/01 by Hon. Rebecca R. Pallmeyer : Status hearing set for 3/14/01 stricken. The parties are directed to appear through lead counsel for a pretrial conference pursuant to Fed.R.Civ.P. 16 set for 9:00 on 3/21/01. Counsel are requested promptly to meet face-to-face for a discussion of possible settlement and for preparation of a planning report in the form that is enclosed. The form is accessible from the court's Internet site. Such report shall be submitted to Judge Pallmeyer in chambers no later than two business days prior to the conference. Mailed notice (etv) (Entered: 03/12/2001)
03/21/2001		SCHEDULE set on 3/21/01 by Hon. Rebecca R. Pallmeyer : Status hearing set for 9:00 on 5/17/01. Discovery ordered closed on 7/18/01. Reports from retained experts under Rule 26(a)(2) due from Plaintiffs by 9/4/01; from Defendant by 10/4/01. Plaintiffs allowed until 6/8/01 to join additional parties and to amend pleadings. Defendant allowed until 8/7/01 to join additional parties and to amend pleadings. Dispositive motions due 8/17/01. Rule 16 conference held. Mailed notice (etv) (Entered: 03/21/2001)
05/17/2001		SCHEDULE set on 5/17/01 by Hon. Rebecca R. Pallmeyer : Status hearing held and continued to 9:00 on 7/31/01. Mailed notice (etv) (Entered: 05/17/2001)
06/04/2001	5	MOTION by plaintiffs to extend time to join additional parties and amend pleadings and other deadlines ; Notice (ar) (Entered: 06/06/2001)
06/05/2001	<u>6</u>	MINUTE ORDER of 6/5/01 by Hon. Rebecca R. Pallmeyer : Plaintiffs' motion to extend time to join additional parties and amend pleadings [5–1] [5–2], granted. Plaintiffs' time to join additional parties and to amend pleadings extended to 08/08/01. Defendant's time to join additional parties and to amend pleadings extended to

		10/10/01. Discovery deadline extended to 09/18/01. Status hearing set for 07/31/01 at 9:00 am to stand. Notice mailed by Judge's staff (ar) Modified on 06/06/2001 (Entered: 06/06/2001)
07/09/2001	7	MOTION by plaintiff to compel directed at defendant, Midwest Wire Specialties, Inc. (Attachments); Notice (vmj) (Entered: 07/30/2001)
07/10/2001	8	AMENDED notice of motion by plaintiffs regarding motion to compel directed at defendant, Midwest Wire Specialties, Inc. [7-1]. (vmj) (Entered: 07/30/2001)
07/26/2001	9	MINUTE ORDER of 7/26/01 by Hon. Rebecca R. Pallmeyer: Plaintiffs' motion to compel directed at defendant, Midwest Wire Specialties, Inc. is withdrawn [7-1]. No notice (vmj) (Entered: 07/30/2001)
07/31/2001		SCHEDULE set on 7/31/01 by Hon. Rebecca R. Pallmeyer : Status hearing held and continued to 9:00 on 9/6/01. Plaintiff's time to add parties and amend pleadings extended to 8/22/01. Dispositive motions date extended to 10/2/01. Mailed notice (etv) (Entered: 07/31/2001)
08/07/2001	10	MOTION by defendant for protective order ; Notice (jmp) (Entered: 08/09/2001)
08/08/2001	<u>11</u>	MINUTE ORDER of 8/8/01 by Hon. Rebecca R. Pallmeyer : Motion for protective order withdrawn [10-1]. No notice (jmp) (Entered: 08/09/2001)
08/10/2001	<u>12</u>	MINUTE ORDER of 8/10/01 by Hon. Rebecca R. Pallmeyer: Entered Stipulation Protective Order Telephoned notice (yap) Modified on 08/13/2001 (Entered: 08/13/2001)
08/22/2001	14	MOTION by plaintiffs for leave to amend their complaint Memorandum in Support ; Notices (yap) (Entered: 08/31/2001)
08/22/2001	15	MOTION by plaintiffs to set a briefing schedule for motion for class certification ; Notice (yap) (Entered: 08/31/2001)
08/22/2001	16	INDEX OF EXHIBITS by plaintiffs to their motion for leave to amend their complaint [14-1] (yap) (Entered: 08/31/2001)
08/22/2001	<u>18</u>	FIRST AMENDED COMPLAINT (proposed) [1-1] by plaintiff; jury demand (yap) (Entered: 08/31/2001)
08/27/2001	13	AMENDED memorandum by plaintiff in support of their motion for leave to amend their complaint (Attachments) (las) (Entered: 08/28/2001)
08/30/2001	<u>17</u>	MINUTE ORDER of 8/30/01 by Hon. Rebecca R. Pallmeyer : Status hearing re-set to 10/9/01 at 9:00 a.m. Motion for leave to amend their complaint [14-1] is granted. Motion to set a briefing schedule for motion for class certification [15-1] is granted. Motion for class certification to be filed by or on 11/15/01; response to be filed by or on 1/10/02; reply to be filed by or on 1/31/02. Status of 9/6/01 stricken. Mailed notice (yap) (Entered: 08/31/2001)
08/30/2001	19	FIRST AMENDED COMPLAINT – class action by plaintiffs; jury demand (Attachments) (jmp) (Entered: 09/07/2001)
09/14/2001	<u>20</u>	ANSWER by defendant MW Wire Specialties and affirmative defenses to plaintiffs' first amended complaint [19-1]; Notice of filing (eav) (Entered: 09/17/2001)
09/17/2001	21	MOTION by plaintiffs to extend discovery cut-off to complete certain limited discovery (Attachments); Notice. (maf) (Entered: 09/26/2001)
09/25/2001	<u>22</u>	MINUTE ORDER of 9/25/01 by Hon. Rebecca R. Pallmeyer : Status hearing re-set for 11/7/01 at 9:00 a.m. Plaintiffs' motion to extend discovery cut-off to complete certain limited discovery is granted [21-1]. Discovery extended to 11/2/01 . Status hearing set for 10/9/01 is stricken. Mailed notice (maf) (Entered: 09/26/2001)
10/02/2001	23	MOTION by defendant for continuance up to and including 11/16/01 in which to file dispositive motions and to provide expert disclosures ; (cdy) (Entered: 10/04/2001)
10/10/2001	<u>24</u>	MINUTE ORDER of 10/10/01 by Hon. Rebecca R. Pallmeyer : Motion for continuance is granted [23-1]. Defendant has to and including 11/16/01 in which to file their dispositive motions and to provide expert disclosures . Mailed notice (maf)

		(Entered: 10/11/2001)
10/19/2001	25	MOTION by defendant to hold in abeyance and suspend all deadlines (Attachments). (mw) (Entered: 11/09/2001)
11/05/2001	26	AMENDED NOTICE by defendant of hearing regarding its motion to hold in abeyance and suspend all deadlines [25-1]. (mw) (Entered: 11/09/2001)
11/07/2001	<u>27</u>	MINUTE ORDER of 11/7/01 by Hon. Rebecca R. Pallmeyer : Status hearing held and continued to 11/29/01 at 9:00 a.m. Defendant's motion to hold in abeyance and suspend all deadlines [25-1] is granted as stated in Court. New dates for briefing of class certification motion. Motion by 01/01/02; response by 03/05/02; reply by 03/22/02. Motion subject to further status report concerning discovery responses. Mailed notice by judge's staff (mw) (Entered: 11/09/2001)
11/29/2001		SCHEDULE set on 11/29/01 by Hon. Rebecca R. Pallmeyer : Status hearing set for 11/29/01 is reset to 9:00 on 12/6/01. Mailed notice (etv) (Entered: 11/29/2001)
12/05/2001		SCHEDULE set on 12/5/01 by Hon. Rebecca R. Pallmeyer : Status hearing reset to 9:00 on 12/14/01. Mailed notice (etv) (Entered: 12/05/2001)
12/14/2001		SCHEDULE set on 12/14/01 by Hon. Rebecca R. Pallmeyer : Status hearing held and continued to 9:00 on 12/21/01. No notice (etv) (Entered: 12/14/2001)
12/21/2001		SCHEDULE set on 12/21/01 by Hon. Rebecca R. Pallmeyer : Status hearing held and continued to 9:00 on 1/22/02. Deposition of Ms. Colley to be taken no later than 1/22/02. Mailed notice (etv) (Entered: 12/21/2001)
01/17/2002	28	ATTORNEY APPEARANCE for defendant by Michael W. Duffee, Julia A. Martin (ntf) (Entered: 01/18/2002)
01/17/2002	<u>29</u>	MOTION by defendant to substitute counsel ; Notices. (vmj) Modified on 01/23/2002 (Entered: 01/23/2002)
01/17/2002	30	MOTION by defendant to extend tiime to produce attorney Donna S. Colley for deposition . (vmj) (Entered: 01/23/2002)
01/22/2002	<u>31</u>	MINUTE ORDER of 1/22/02 by Hon. Rebecca R. Pallmeyer: Status hearing held and continued to 4/2/02 at 9:00 a.m. Motion to substitute counsel is granted [29-1]. Thomas Stephen Moore and Jane Anderson of Anderson & Moore granted leave to withdraw. Motion to extend time to produce attorney Donna S. Colley for deposition is granted [30-1]. All previously noticed discovery to be completed by 2/19/02. Class certification motion to be filed by 3/21/02. Mailed notice (vmj) (Entered: 01/23/2002)
01/22/2002	32	ATTORNEY APPEARANCE for defendant by Michael W. Duffee, Julia A. Martin; Notice. (vmj) (Entered: 01/23/2002)
03/13/2002	<u>33</u>	AGREDD MOTION by plaintiffs to extend time to file motion for class certification ; Notice. (cem) (Entered: 03/18/2002)
03/15/2002	<u>34</u>	MINUTE ORDER of 3/15/02 by Hon. Rebecca R. Pallmeyer : Plaintiff's agreed motion to extend time to file motion for class certification granted to and including 5/21/02 [33-1]. Status hearing set for 5/23/02 at 9:00 a.m. Mailed notice (cem) (Entered: 03/18/2002)
04/03/2002	<u>36</u>	MOTION by defendant to refer case to magistrate judge ; Notice. (lc) (Entered: 04/08/2002)
04/05/2002	35	EXPEDITED REFERRAL ORDER: Case referred to Hon. Sidney I. Schenkier for settlement conference. Mailed notice. (etv) (Entered: 04/05/2002)
04/05/2002	<u>37</u>	MINUTE ORDER of 4/5/02 by Hon. Rebecca R. Pallmeyer : Defendant's motion to refer case to magistrate judge is granted [36-1]. Case referred to Magistrate Judge Schenkier for settlement conference. Mailed notice (lc) (Entered: 04/08/2002)
04/17/2002		SCHEDULE set on 4/17/02 by Hon. Sidney I. Schenkier : Settlement conference set for 1:30 p.m. on 5/9/02, in chambers 1756. The settlement conference will be conducted in accordance with the Court's Standing Order on Instructions for Settlement Conference, which is enclosed. The schedule for exchange of demand and

		offer is as follows: plaintiff's counsel shall serve on defense counsel a written settlement demand by 04/26/02. Defendant's counsel shall serve on plaintiff's counsel a written settlement offer by 05/03/02. Plaintiff's counsel shall deliver copies of these letters to chambers by noon on 05/06/02. Parties with ultimate settlement authority to be present. Mailed & Telephoned notice (fce) (Entered: 04/17/2002)
05/09/2002	<u>38</u>	MINUTE ORDER of 5/9/02 by Hon. Sidney I. Schenkier : Settlement conference held. Settlement agreement reached between the parties, subject to preliminary and final approval of class settlement. The matter is set for a status conference on 05/23/02 at 9:00 a.m. Mailed notice by judge's staff (mw) (Entered: 05/10/2002)
05/14/2002		SCHEDULE set on 5/14/02 by Hon. Rebecca R. Pallmeyer : Status hearing reset to 9:00 on 6/4/02. Mailed notice (etv) (Entered: 05/14/2002)
05/16/2002	<u>39</u>	AGREED MOTION by plaintiffs to extend time to file motion for class certification ; Notice (rmm) (Entered: 06/05/2002)
05/23/2002		SCHEDULE set on 5/23/02 by Hon. Sidney I. Schenkier : Status hearing held and continued to 9:00 a.m. on 6/4/02. Mailed notice (fce) (Entered: 05/23/2002)
05/29/2002	40	AMENDED NOTICE by plaintiff of motion to extend time to file motion for class certification [39-1] (rmm) (Entered: 06/05/2002)
06/04/2002		SCHEDULE set on 6/4/02 by Hon. Sidney I. Schenkier : Status hearing held and continued to 9:00 a.m. on 6/25/02. Mailed notice (fce) (Entered: 06/04/2002)
06/04/2002	<u>41</u>	MINUTE ORDER of 6/4/02 by Hon. Rebecca R. Pallmeyer: Status hearing held. Filed plaintiffs' agreed motion to extend time to file for class certification [39-1]. Motion granted for 120 days, or until 9/12/02. Motion deadline 9/12/02. Mailed notice (rmm) (Entered: 06/05/2002)
06/06/2002	42	LIMITED CONSENT to exercise of jurisdiction by a United States Magistrate Judge signed by Zaida Espana, Vitalia Mero, MW Wire Specialties (emd) (Entered: 06/12/2002)
06/07/2002	<u>44</u>	MOTION by plaintiff for leave to file second amended class action complaint ; Notice. (hmb) (Entered: 06/26/2002)
06/10/2002	<u>43</u>	REASSIGNMENT ORDER of 6/10/02 This case is reassigned to the Hon. Sidney I. Schenkier from Hon. Rebecca R. Pallmeyer pursuant to Local Rule 73.1. (For further detail see order.) Mailed notice (emd) (Entered: 06/12/2002)
06/25/2002	<u>45</u>	MINUTE ORDER of 6/25/02 by Hon. Sidney I. Schenkier : Plaintiff's unopposed motion for leave to file second amended class action complaint is granted [44-1]. Status hearing held and continued to 7/10/02 at 9:00 a.m. Notices mailed by Judge's staff (hmb) (Entered: 06/26/2002)
06/25/2002	<u>46</u>	SECOND AMENDED COMPLAINT-CLASS ACTION [19-1] by plaintiff; jury demand; adding Virginia Munoz (Attachments). (hmb) (Entered: 06/26/2002)
07/10/2002		SCHEDULE set on 7/10/02 by Hon. Sidney I. Schenkier : Status hearing held and continued to 11:30 a.m. on 7/22/02. Motion for preliminary approval is set for hearing on 07/22/02 at 11:30 a.m. Mailed notice (fce) (Entered: 07/10/2002)
07/26/2002		SCHEDULE set on 7/26/02 by Hon. Sidney I. Schenkier : Status hearing reset to 8:30 a.m. on 8/1/02. Telephoned notice (fce) (Entered: 07/26/2002)
07/26/2002	<u>47</u>	JOINT MOTION by parties to conditionally certify settlement classes , and preliminarily approve proposed settlement ; Memorandum in support; Notice (ntf) (Entered: 07/29/2002)
07/26/2002	<u>48</u>	CLASS ACTION SETTLEMENT AGREEMENT by parties (Attachments). (ntf) (Entered: 07/29/2002)
08/01/2002	<u>50</u>	MINUTE ORDER of 8/1/02 by Hon. Sidney I. Schenkier : Status hearing held. Preliminary approval of settlement agreement as modified by the Court is granted. Notice mailed by judge's staff (ntf) (Entered: 08/05/2002)

08/02/2002	<u>49</u>	MINUTE ORDER of 8/2/02 by Hon. Sidney I. Schenkier : (Enterd Order of Conditional Certification of Settlement Classes, Preliminary Approval of Settlement Agreement, and Amendment of Complaint). Fairness hearing set for 9:30am 10/8/02. Notice mailed by judge's staff (ntf) (Entered: 08/05/2002)
08/02/2002	<u>51</u>	NOTICE by plaintiffs of class action and proposed settlement. (ntf) (Entered: 08/05/2002)
08/02/2002	<u>52</u>	MINUTE ORDER of 8/2/02 by Hon. Sidney I. Schenkier :The court approves the Notice of Class Action and Proposed Settlement in line with the court's comments made in open court on 08/01/02. Notice mailed by judge's staff notice (ntf) (Entered: 08/05/2002)
10/08/2002		SCHEDULE set on 10/8/02 by Hon. Sidney I. Schenkier : In court hearing held. Mailed notice (fce) (Entered: 10/08/2002)
10/08/2002	<u>53</u>	MINUTE ORDER of 10/8/02 by Hon. Sidney I. Schenkier : Enter judgment and order of dismissal. This case is dismissed pursuant to settlement terminating case . (Entered Final Judgment and Order of Dismissal). Notice mailed by judge's staff (ntf) (Entered: 10/10/2002)
07/20/2004	54	TRANSCRIPT of proceedings for the following date(s): 08/01/02, 10/08/02 Before Honorable Sidney Schenkier (54-1 through 54-2). (ntf) (Entered: 07/21/2004)