

CASREF, TERMED

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (Fort Wayne)
CIVIL DOCKET FOR CASE #: 1:04-cv-00300-WCL-RBC**

Equal Employment Opportunity Commission v. Butterworth
Industries Inc
Assigned to: Judge William C Lee
Referred to: Magistrate Judge Roger B Cosby
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 08/12/2004
Date Terminated: 06/17/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Mediator**Robert T Keen****Plaintiff****Equal Employment Opportunity
Commission**

represented by **Jo Ann Farnsworth**
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V.

Defendant**Butterworth Industries Inc**represented by **Jerry T Drook**

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Date Filed	#	Docket Text
08/12/2004	1	COMPLAINT with Jury Demand against Butterworth Industries Inc , filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(Ins,) (Entered: 08/13/2004)
08/12/2004	2	NOTICE of Appearance by Jo Ann Farnsworth on behalf of Equal Employment Opportunity Commission (Ins,) (Entered: 08/13/2004)
08/12/2004	3	NOTICE of Appearance by Laurie A Young on behalf of Equal Employment Opportunity Commission (Ins,) (Entered: 08/13/2004)
08/12/2004	4	NOTICE of Appearance by Michelle F Eisele on behalf of Equal Employment Opportunity Commission (Ins,) (Entered: 08/13/2004)
08/12/2004	5	Summons Issued as to Butterworth Industries Inc. (F.L. Butterworth Jr) (Ins,) (Entered: 08/13/2004)
08/24/2004	6	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Butterworth Industries Inc served on 8/18/2004, answer due 9/7/2004. (Ins,) (Entered: 08/27/2004)
10/14/2004	7	NOTICE of Appearance by Shane Eric Beal on behalf of Butterworth Industries Inc (Ins,) (Entered: 10/15/2004)
10/14/2004	8	ANSWER to 1 Complaint by Butterworth Industries Inc.(Ins,) (Entered: 10/15/2004)
10/18/2004	9	ORDER Rule 16 Preliminary Pretrial Conference set for 11/22/2004 03:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby.Signed by Judge Roger B Cosby on 10/18/04. (wsy) (Entered: 10/18/2004)

10/18/2004	10	MAGISTRATE CONSENT FORMS sent to all parties (Standard Track). (wsy) (Entered: 10/18/2004)
10/27/2004	11	CERTIFICATE of Attorney. (Farnsworth, Jo Ann) (Entered: 10/27/2004)
11/10/2004	12	REPORT of Rule 26(f) Planning Meeting. (Farnsworth, Jo Ann) (Entered: 11/10/2004)
11/22/2004	13	Minute Entry for proceedings held before Judge Roger B Cosby : Preliminary Pretrial Conference held on 11/22/2004. The Report is approved and made an order of the Court. The dates will not be changed without good cause shown. All discovery to be completed by 8/30/2005. Mediator Selection Deadline is 60 days or 1/24/2005. Dispositive motions to be filed by 10/30/2005.(Tape #62) (wsy) (Entered: 11/22/2004)
11/22/2004	14	SCHEDULING ORDER: 2 day Jury Trial set for 3/21/2006 09:00 AM in Fort Wayne before Judge William C Lee. Final Pretrial Conference set for 2/27/2006 01:30 PM in Fort Wayne before Judge William C Lee.. Signed by Judge William C Lee on 11/22/04. (lrm,) (Entered: 11/22/2004)
12/01/2004	15	NOTICE of Appearance by Jerry T Drook on behalf of Butterworth Industries Inc (lms,) (Entered: 12/06/2004)
12/20/2004	16	ENTRY for Judge William C. Lee; the Final Pretrial Conference in this cause is hereby re-set from 2/27/06 to 3/6/2006 01:30 PM in Fort Wayne before Judge William C Lee.No additional written entry will issue.(lrm,) (Entered: 12/20/2004)
01/18/2005	17	REPORT by Equal Employment Opportunity Commission <i>Regarding Mediation</i> . (Farnsworth, Jo Ann) (Entered: 01/18/2005)
01/19/2005	18	ORDER: The parties notify the Court that they have selected Robert Keen, Jr. as mediator. Counsel are to notify Mr. Keen of the selection. Robert T Keen added as mediator. (wsy) (Entered: 01/19/2005)
02/01/2005	19	Witness List by Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 02/01/2005)
02/01/2005	20	<i>Preliminary Exhibit List Preliminary</i> by Equal Employment Opportunity Commission.. (Farnsworth, Jo Ann) (Entered: 02/01/2005)
02/01/2005	21	NOTICE by Equal Employment Opportunity Commission <i>Preliminary Contentions</i> (Farnsworth, Jo Ann) (Entered: 02/01/2005)
02/24/2005	22	MOTION to Compel by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(Farnsworth, Jo Ann) (Entered: 02/24/2005)
02/24/2005	23	MEMORANDUM in Support of 22 MOTION to Compel filed by Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 02/24/2005)
02/24/2005	24	CERTIFICATE of Informal Attempt to Settle Discovery Dispute. (Farnsworth, Jo Ann) (Entered: 02/24/2005)

02/24/2005	25	ORDER denying w/o prejudice 22 Motion to Compel filed by Plaintiff Equal Employment Opportunity Commission . Signed by Judge Roger B Cosby on 2/24/2005. (Ins,) (Entered: 02/25/2005)
03/15/2005	26	MOTION to Compel by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F)(Farnsworth, Jo Ann) (Entered: 03/15/2005)
03/15/2005	27	MEMORANDUM in Support of 26 MOTION to Compel filed by Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 03/15/2005)
03/15/2005	28	CERTIFICATE of Informal Attempt to Settle Discovery Dispute. (Farnsworth, Jo Ann) (Entered: 03/15/2005)
03/15/2005	30	ORDER granting 26 Motion to Compel by Plaintiff Equal Employment Opportunity Commission. Deft Butterworth Industries Inc ordered to respond to Pltfs' First Set of Interr and First Req for Prod of Docs on/bf 4/1/2005. Signed by Judge Roger B Cosby on 3/15/2005. (Ins,) (Entered: 03/16/2005)
03/16/2005	29	NOTICE by Equal Employment Opportunity Commission re 26 MOTION to Compel Notice of Partial Compliance (Attachments: # 1 Exhibit G# 2 Exhibit H# 3 Exhibit H, part 2# 4 Exhibit H, part 3)(Farnsworth, Jo Ann) (Entered: 03/16/2005)
03/16/2005	31	MOTION to Compel Defendant's Compliance with Court Order by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A)(Farnsworth, Jo Ann) (Entered: 03/16/2005)
03/16/2005	32	CERTIFICATE of Informal Attempt to Settle Dispute. (Farnsworth, Jo Ann) (Entered: 03/16/2005)
03/17/2005	33	ORDER granting 31 Motion to Compel Defendant's Compliance with Court Order by Plaintiff Equal Employment Opportunity Commission. Deft Butterworth Industries Inc ordered to serve its Preliminary Witness List, Preliminary Exhibit List and Preliminary Contentions on/bf 4/5/2005. Signed by Judge Roger B Cosby on 3/17/2005. (Ins,) (Entered: 03/17/2005)
03/31/2005	34	MOTION for Extension of Time to File Expert Report by Plaintiff Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 03/31/2005)
03/31/2005	35	ORDER granting 34 Motion for Extension of Time to File Expert Reports. Plaintiff EEOC's expert witness disclosures and reports due on/bf 6/30/2005. Signed by Judge Roger B Cosby on 3/31/2005. (Ins,) (Entered: 03/31/2005)
03/31/2005		Set/Reset Deadlines: Plaintiff expert witness disclosures and reports to be submitted by 6/30/2005. (Ins,) (Entered: 03/31/2005)
04/13/2005	36	MOTION for Sanctions by Plaintiff Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 04/13/2005)
04/13/2005	37	MEMORANDUM in Support of 36 MOTION for Sanctions filed by Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 04/13/2005)

04/18/2005	38	ORDER re 36 MOTION for Sanctions filed by Equal Employment Opportunity Commission, Motion Hearing set for 4/27/2005 03:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby. Cnsl for deft as well as deft's chief executive officer are ORDERED to attend in person; cnsl for pltf may appear by telephone. Signed by Judge Roger B Cosby on 4/18/05. (lrm,) (Entered: 04/18/2005)
04/20/2005	39	MOTION to reset <i>Hearing</i> by Plaintiff Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 04/20/2005)
04/20/2005	40	ORDER granting 39 Motion to Reset Hearing by Plaintiff Equal Employment Opportunity Commission. Motion Hearing reset for 4/28/2005 01:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby. Signed by Judge Roger B Cosby on 4/20/2005. (lms,) (Entered: 04/20/2005)
04/26/2005	41	MOTION to reset 4/28/05 hearing by Defendant Butterworth Industries Inc. (lrm,) (Entered: 04/26/2005)
04/26/2005	42	ORDER granting 41 Motion to Reset Motion Hearing re 36 Motion for Sanctions re-set for 5/25/2005 01:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby. No further extensions will be granted. Signed by Judge Roger B Cosby on 4/26/05. (lrm,) (Entered: 04/26/2005)
05/19/2005	43	MOTION to Compel by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A - Second Request for Production# 2 Exhibit B-Letter)(Farnsworth, Jo Ann) (Entered: 05/19/2005)
05/19/2005	44	MEMORANDUM in Support of 43 MOTION to Compel filed by Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 05/19/2005)
05/19/2005	45	CERTIFICATE of <i>Informal Attempt to Settle Discovery Dispute</i> . (Farnsworth, Jo Ann) (Entered: 05/19/2005)
05/19/2005	46	ORDER re 43 MOTION to Compel filed by Equal Employment Opportunity Commission. Motion Hearing set for 5/25/2005 01:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby. (wsy) (Entered: 05/19/2005)
05/25/2005	47	Minute Entry for proceedings held before Judge Roger B Cosby : Motion Hearing held on 5/25/2005 re 43 MOTION to Compel filed by Equal Employment Opportunity Commission and 36 MOTION for sanctions. Both motions are granted and terminated: Plaintiff counsel to file the affidavit for attorney fees by 5/31/05. Defendant to deliver to plaintiff the requested documents by 5/27/05. Defendant to submit to the Court a certification from Frank Butterworth's physician as to why he was unable to attend today's hearing. Mr. Butterworth, Susan Butterworth and counsel to be present at the 6/2/05 hearing. The issue of attorney fees and the compliance with discovery will be heard. Motion Hearing (Amount of sanctions/compliance w/discovery) set for 6/2/2005 03:00 PM in Fort Wayne before Magistrate Judge Roger B Cosby. (Tape #71) (wsy) (Entered: 05/25/2005)
05/27/2005	48	MOTION for Attorney Fees by Plaintiff Equal Employment Opportunity Commission. (Farnsworth, Jo Ann) (Entered: 05/27/2005)
05/27/2005	49	CERTIFICATE <i>Declaration of Jo Ann Farnsworth</i> . (Farnsworth, Jo Ann) (Entered: 05/27/2005)

06/14/2005	50	JOINT MOTION to Approve and Enter Consent Decree by Plaintiff Equal Employment Opportunity Commission, Defendant Butterworth Industries Inc. (Ins,) (Entered: 06/16/2005)
06/17/2005	51	CONSENT DECREE, granting 50 MOTION to Approve and Enter Consent Decree filed by Equal Employment Opportunity Commission, Butterworth Industries Inc. Signed by Judge William C Lee on 6/17/2005. (Ins,) (Entered: 06/17/2005)

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