

CLOSED, CMP

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:06-cv-01436-LJM-WTL**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.
MER CORPORATION

Assigned to: Judge Larry J. McKinney
Referred to: Magistrate Judge William T. Lawrence
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/29/2006

Date Terminated: 11/20/2007

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **Jo Ann Farnsworth**

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V.

Intervenor Plaintiff

CHRISTINA PERKINS-DELOIS

represented by **Gary R. Welsh**
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V.

Defendant

MER CORPORATION
doing business as
DANCER'S SHOW CLUB

represented by **Richard A. Rocap**
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Date Filed	#	Docket Text
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09/29/2006	<u>1</u>	COMPLAINT against MER CORPORATION, with Jury Demand, filed by Plaintiff, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(SDP) (Entered: 09/29/2006)
09/29/2006	<u>2</u>	CIVIL COVER SHEET, filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (SDP) (Entered: 09/29/2006)
09/29/2006	<u>3</u>	Summons Issued as to Defendant, MER CORPORATION. (SDP) (Entered: 09/29/2006)
09/29/2006	<u>4</u>	NOTICE of Appearance filed by Kenneth L. Bird on behalf of Plaintiff, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (SDP) (Entered: 09/29/2006)
09/29/2006	<u>5</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (SDP) (Entered: 09/29/2006)
10/04/2006	<u>6</u>	NOTICE of Appearance by Richard A. Rocap on behalf of Defendant MER CORPORATION. (Rocap, Richard) (Entered: 10/04/2006)
10/04/2006	<u>7</u>	NOTICE of Appearance of Gary R. Welsh on behalf of Christina Perkins-DeLois - INTERVENOR (MAC) (Entered: 10/04/2006)
10/04/2006	<u>8</u>	MOTION to Intervene, filed by Intervenor CHRISTINA PERKINS-DELOIS. (Attachments: # <u>1</u> Complaint in Intervention# <u>2</u> Notice of Motion# <u>3</u> Text of Proposed Order)(MAC) (Entered: 10/04/2006)
10/04/2006	<u>9</u>	NOTICE of Parties' First Extension of Time, filed by Defendant MER CORPORATION. (Rocap, Richard) (Entered: 10/04/2006)
10/06/2006	<u>10</u>	SCHEDULING ORDER:Initial Pretrial Conference set for 1/8/2007 08:30 AM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 10/06/2006. (TMA) (Entered: 10/06/2006)
10/09/2006	<u>11</u>	NOTICE of Appearance by Scott Lee Timberman on behalf of Defendant MER CORPORATION. (Timberman, Scott) (Entered: 10/09/2006)
10/26/2006	<u>12</u>	ORDER granting <u>8</u> Motion to Intervene as plaintiff by Christine DeLois-Perkins. Signed by Judge Larry J. McKinney on 10/26/06. (PG) (Entered: 10/27/2006)
10/27/2006	<u>13</u>	Intervenor COMPLAINT, filed by Intervenor Plaintiff, CHRISTINA PERKINS-DELOIS.(PG) (Entered: 10/27/2006)
10/31/2006	<u>14</u>	NOTICE of Substitution of Appearance by Jo Ann Farnsworth replacing <i>Kenneth L. Bird</i> on behalf of EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (Farnsworth, Jo Ann) (Entered: 10/31/2006)
11/02/2006	<u>15</u>	RETURN of Service, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. MER CORPORATION served on 10/6/2006. (Farnsworth, Jo Ann) (Entered: 11/02/2006)
11/02/2006	<u>16</u>	Summons Issued as to Defendant, MER CORPORATION. (PG) (Entered: 11/03/2006)
11/20/2006	<u>17</u>	<i>Defendant's</i> ANSWER to Complaint of Plaintiff, Equal Employment Opportunity Commission, filed by all defendants.(Timberman, Scott) (Entered: 11/20/2006)

11/20/2006	<u>18</u>	<i>Defendant's</i> ANSWER to Intervenor Complaint of <i>Christina Perkins-DeLois</i> , filed by all defendants.(Timberman, Scott) (Entered: 11/20/2006)
12/19/2006	<u>19</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 12/19/2006)
01/02/2007	<u>20</u>	NOTICE of Service of Initial Disclosures, filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 01/02/2007)
01/08/2007	<u>21</u>	ENTRY - Parties appear by counsel for initial pretrial conference. Conference held and concluded without further order. SCHEDULING ORDER: Settlement Conference set for 2/23/2007 09:00 AM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 01/08/07. (TMA) (Entered: 01/08/2007)
01/08/2007	<u>22</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS SUBMITTED. Signed by Judge William T. Lawrence on 01/08/07. (TMA) (Entered: 01/08/2007)
02/01/2007	<u>23</u>	SCHEDULING ORDER:Final Pretrial Conference set for 1/11/2008 10:30 AM in room #204 before Judge Larry J. McKinney. Jury Trial set for 1/28/2008 09:30 AM in room #202 before Judge Larry J. McKinney. Signed by Judge Larry J. McKinney on 2/1/07. (PG) (Entered: 02/01/2007)
02/26/2007	<u>24</u>	ENTRY FOR FEBRUARY 26, 2007: Parties appear for settlement conference on 2/23/07. Conference held and concluded without further order. Signed by Judge William T. Lawrence on 2/26/07. (JHO) (Entered: 02/26/2007)
03/01/2007	<u>25</u>	Exhibit List <i>Defendant's Preliminary Witness and Exhibit Lists</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 03/01/2007)
03/02/2007	<u>26</u>	MOTION for Leave to File <i>Amended Answers to Plaintiff's and Plaintiff in Intervention's Complaints</i> , filed by Defendant MER CORPORATION., (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Text of Proposed Order Proposed Order on Motion for Leave to Amend Answers to Complaints)(Timberman, Scott) (Entered: 03/02/2007)
03/05/2007	<u>27</u>	Witness List <i>Preliminary</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 03/05/2007)
03/05/2007	<u>28</u>	Exhibit List <i>Preliminary</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 03/05/2007)
03/05/2007	<u>29</u>	Exhibit List, filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 03/05/2007)
03/05/2007	<u>30</u>	Witness List, filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 03/05/2007)
03/06/2007	<u>31</u>	Submission of Signature Requirement re <u>29</u> Exhibit List by CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 03/06/2007)
03/06/2007	<u>32</u>	Submission of Signature Requirement re <u>30</u> Witness List by CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 03/06/2007)

03/07/2007	<u>33</u>	ORDER granting <u>26</u> Motion for Leave to Amend Defendant's Answer to Plaintiff's Complaint and Intervention's Complaint. Signed by Judge Larry J. McKinney on 3/7/07. (PG) (Entered: 03/07/2007)
03/20/2007	<u>34</u>	MOTION to Compel <i>Discovery</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS., (Welsh, Gary) (Entered: 03/20/2007)
03/20/2007	<u>35</u>	Proposed Order, filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS., (Welsh, Gary) Modified on 3/21/2007 (PG). (Entered: 03/20/2007)
03/20/2007	<u>36</u>	RESPONSE in Opposition re <u>34</u> MOTION to Compel <i>Discovery by Intervenor Plaintiff</i> , filed by Defendant MER CORPORATION. (Rocap, Richard) (Entered: 03/20/2007)
03/21/2007	<u>37</u>	***PLEASE DISREGARD FILING. WRONG DOCUMENT ATTACHED***REPLY in Support of Motion re <u>34</u> MOTION to Compel <i>Discovery</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) Modified on 3/21/2007 (PG). (Entered: 03/21/2007)
03/21/2007	<u>38</u>	EXHIBIT in Support re <u>39</u> Reply in Support of Motion, filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) Modified on 3/21/2007 (PG). (Entered: 03/21/2007)
03/21/2007	<u>39</u>	REPLY in Support of Motion re <u>34</u> MOTION to Compel <i>Discovery</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 03/21/2007)
03/23/2007	<u>40</u>	Witness List <i>First Amended Preliminary Witness List</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 03/23/2007)
03/23/2007	<u>41</u>	NOTICE of Service of Initial Disclosures, filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 03/23/2007)
03/23/2007	<u>42</u>	NOTICE, filed by Defendant MER CORPORATION <i>Notice of Service of Discovery Responses</i> . (Timberman, Scott) (Entered: 03/23/2007)
04/02/2007	<u>43</u>	ORDER denying as moot <u>34</u> Christina Perkins-DeLois's Motion to Compel. Signed by Judge William T. Lawrence on 04/02/2007. (TMA) (Entered: 04/02/2007)
05/25/2007	<u>44</u>	SCHEDULING ORDER: Status Conference set for 6/21/2007 02:00 PM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 5/25/07. (JHO) (Entered: 05/25/2007)
05/31/2007	<u>45</u>	MOTION for Continuance of <i>Status Conference</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION., (Attachments: # <u>1</u> Text of Proposed Order)(Farnsworth, Jo Ann) (Entered: 05/31/2007)
06/01/2007	<u>46</u>	ORDER granting <u>45</u> Plaintiff's Motion for Continuance. SCHEDULING ORDER: Status Conference set for 6/21/07 is VACATED AND RESCHEDULED for 6/27/2007 09:00 AM in room #277 before Magistrate Judge William T. Lawrence. Signed by Judge William T. Lawrence on 06/01/2007. (TMA) (Entered: 06/01/2007)

06/27/2007	<u>47</u>	Minute Entry for proceedings held before Judge William T. Lawrence : Status Conference held on 6/27/2007. (TMA) (Entered: 06/27/2007)
06/27/2007	<u>48</u>	Joint MOTION for Protective Order, filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION., (Farnsworth, Jo Ann) (Entered: 06/27/2007)
06/28/2007	<u>49</u>	STIPULATED PROTECTIVE ORDER. Signed by Judge William T. Lawrence on 6/28/07. (JHO) (Entered: 06/28/2007)
08/22/2007	<u>50</u>	MOTION to Stay <i>Discovery on Issue of Punitive Damages</i> , filed by Defendant MER CORPORATION., (Attachments: # <u>1</u> Text of Proposed Order)(Timberman, Scott) (Entered: 08/22/2007)
08/23/2007	<u>51</u>	RESPONSE in Opposition re <u>50</u> MOTION to Stay <i>Discovery on Issue of Punitive Damages</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 08/23/2007)
08/23/2007	<u>52</u>	RESPONSE in Opposition re <u>50</u> MOTION to Stay <i>Discovery on Issue of Punitive Damages</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 08/23/2007)
09/04/2007	<u>53</u>	Witness List - <i>Amendment to Preliminary Witness List</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 09/04/2007)
09/14/2007	<u>54</u>	ORDER denying <u>50</u> Defendant's Motion to Stay Discovery on the Issue of Punitive Damages. (See Entry) Signed by Judge William T. Lawrence on 09/14/2007. (TMA) (Entered: 09/14/2007)
09/25/2007	<u>55</u>	Witness List, filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 09/25/2007)
09/25/2007	<u>56</u>	Exhibit List, filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 09/25/2007)
09/26/2007	<u>57</u>	Witness List <i>Final</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 09/26/2007)
09/26/2007	<u>58</u>	Exhibit List <i>Final</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 09/26/2007)
09/27/2007	<u>59</u>	MOTION for Protective Order <i>on the Issue of Punitive Damages</i> , filed by Defendant MER CORPORATION., (Timberman, Scott) (Entered: 09/27/2007)
09/27/2007	<u>60</u>	Submission <i>Proposed Order on MOTION for Protective Order on the Issue of Punitive Damages</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 09/27/2007)
09/28/2007	<u>61</u>	Witness List <i>Final</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 09/28/2007)
09/28/2007	<u>62</u>	Exhibit List <i>Final</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 09/28/2007)
09/29/2007	<u>63</u>	RESPONSE in Opposition re <u>59</u> MOTION for Protective Order <i>on the Issue of Punitive Damages</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS.

		(Welsh, Gary) (Entered: 09/29/2007)
10/03/2007	<u>64</u>	Second MOTION to Compel <i>Discovery</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS., (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Text of Proposed Order Proposed Order To Compel Discovery)(Welsh, Gary) (Entered: 10/03/2007)
10/03/2007	<u>65</u>	BRIEF/MEMORANDUM in Support re <u>64</u> Second MOTION to Compel <i>Discovery of Defendant's Financial Records</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 10/03/2007)
10/10/2007	<u>66</u>	RESPONSE in Opposition re <u>59</u> MOTION for Protective Order <i>on the Issue of Punitive Damages</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit A - 9/05/07 cover letter to counsel# <u>2</u> Exhibit B - Third Request for Production)(Farnsworth, Jo Ann) (Entered: 10/10/2007)
10/10/2007	<u>67</u>	SCHEDULING ORDER: Settlement Conference set for 11/15/2007 09:00 AM in room #277 before Magistrate Judge William T. Lawrence. (TMA) (Entered: 10/10/2007)
10/16/2007	<u>68</u>	MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Defendant MER CORPORATION., (Attachments: # <u>1</u> Text of Proposed Order)(Timberman, Scott) (Entered: 10/16/2007)
10/16/2007	<u>69</u>	Appendix of Exhibits in Support of Motion re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Defendant MER CORPORATION. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Timberman, Scott) (Entered: 10/16/2007)
10/16/2007	<u>70</u>	BRIEF/MEMORANDUM in Support re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 10/16/2007)
10/22/2007	<u>71</u>	RESPONSE in Opposition re <u>64</u> Second MOTION to Compel <i>Discovery</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 10/22/2007)
10/22/2007	<u>72</u>	EXHIBIT in Support of Response in Opposition to Motion re <u>64</u> Second MOTION to Compel <i>Discovery</i> , filed by Defendant MER CORPORATION. (Timberman, Scott) (Entered: 10/22/2007)
10/29/2007	<u>73</u>	RESPONSE in Opposition re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 10/29/2007)
10/29/2007	<u>74</u>	Appendix of Exhibits in Support of Response in Opposition to Motion re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Attachments: # <u>1</u> Exhibit Exhibit A-Daily Log Entry# <u>2</u> Exhibit Exhibit B-Deposition of Jason Hudelson# <u>3</u> Exhibit Exhibit C-Affidavit of Merrill Roberts# <u>4</u> Exhibit Exhibit D--Deposition of Merrill Roberts# <u>5</u> Exhibit Exhibit E--Deposition of Davina Tolliver# <u>6</u> Exhibit Exhibit F--Deposition of Kenneth Goods# <u>7</u> Exhibit Exhibit G--Deposition of DeLois# <u>8</u> Exhibit Exhibit I--Deposition of Beth Reed# <u>9</u> Exhibit Exhibit

		J--Defendant's Response to RFP)(Welsh, Gary) (Entered: 10/29/2007)
10/29/2007	<u>75</u>	RESPONSE in Opposition re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages Brief In Support of Response Opposing Defendant's Motion for Partial Summary Judgment</i> , filed by Intervenor Plaintiff CHRISTINA PERKINS-DELOIS. (Welsh, Gary) (Entered: 10/29/2007)
11/05/2007	<u>76</u>	RESPONSE in Opposition re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Farnsworth, Jo Ann) (Entered: 11/05/2007)
11/05/2007	<u>77</u>	Appendix of Exhibits in Support of Response in Opposition to Motion re <u>68</u> MOTION for Partial Summary Judgment <i>on Punitive Damages</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit A-Performance review# <u>2</u> Exhibit B-transcript of tape# <u>3</u> Exhibit C-Affidavit of M. Roberts# <u>4</u> Exhibit D-portions of Perkins-DeLois deposition# <u>5</u> Exhibit E-portions of Hudelson deposition# <u>6</u> Exhibit F-portions of Reed deposition# <u>7</u> Exhibit G-portions of Goods deposition# <u>8</u> Exhibit H-portions of B.Nicholson deposition# <u>9</u> Exhibit I-portions of S.Nicholson deposition# <u>10</u> Exhibit J-portions of Roberts deposition# <u>11</u> Exhibit K-portions of Toliver deposition)(Farnsworth, Jo Ann) (Entered: 11/05/2007)
11/08/2007	<u>78</u>	ENTRY - The Defendant's motion for protective order (docket #59) and the Plaintiff-in-Intervention's second motion to compel (docket #64), are both taken under advisement pending the Court's ruling on the Defendant's motion for partial summary judgment. Signed by Judge William T. Lawrence on 11/08/2007. (TMA) (Entered: 11/08/2007)
11/16/2007	<u>79</u>	Minute Entry for proceedings held before Judge William T. Lawrence : Parties appear in person and by counsel for settlement conference. Conference held and successfully concluded. A settlement has been reached. Therefore, all pending motions, if any, are now DENIED AS MOOT and all previously ordered dates, if any, are VACATED. IT IS ORDERED that within thirty (30) days of this date, counsel for the plaintiff shall file a motion to dismiss this cause or a stipulation of dismissal. (TMA) (Entered: 11/16/2007)
11/19/2007	<u>80</u>	Joint MOTION <i>for Entry of Consent Decree</i> , filed by Plaintiff EQUAL EMPLOYMENT OPPORTUNITY COMMISSION., (Attachments: # <u>1</u> Text of Proposed Order)(Farnsworth, Jo Ann) (Entered: 11/19/2007)
11/20/2007	<u>81</u>	ORDER ON CONSENT DECREE. Signed by Judge Larry J. McKinney on 11/20/07. (PG) (Entered: 11/21/2007)

Case #: 1:06-cv-01436-LJM-WTL

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