

CLOSED

**U.S. District Court
District of Kansas (Kansas City)
CIVIL DOCKET FOR CASE #: 2:99-cv-02445-JWL**

EEOC v. Earl Scheib of KS, et al
Assigned to: Judge John W Lungstrum
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 09/30/1999
Date Terminated: 06/23/2000
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Andrea G. Baran**
U. S. Equal Employment Opportunity
Commission - KCK
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Kansas City, KS 66101
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TERMINATED: 03/13/2000
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V.

Defendant

Earl Scheib of Kansas, Inc.

represented by **Howard L Steele, Jr**

Seyfarth, Shaw, Fairweather &
Geraldson
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700 Louisiana
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Defendant

**Earl Scheib Automotive Paint
Finishes, Inc.**
TERMINATED: 03/15/2000

represented by **Howard L Steele, Jr**
(See above for address)
TERMINATED: 03/15/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosalee M. McNamara
(See above for address)
TERMINATED: 03/15/2000
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Timothy M Watson
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Defendant

Earl Scheib Inc

represented by **Rosalee M. McNamara**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/30/1999	1	COMPLAINT with trial location of Kansas City, Kansas; jury demand by plaintiff; no summons issued (MG) (Entered: 09/30/1999)
09/30/1999	2	MOTION for attorney, Melvin D Kennedy, to appear pro hac vice by plaintiff; referred to Judge John W. Lungstrum (ICMSUSER) (Entered: 10/01/1999)
10/19/1999	3	ORDER ENTERED: by Judge John W. Lungstrum granting motion for attorney, Melvin D Kennedy, to appear pro hac vice by plaintiff [2-1] (cc: all counsel) (TRS) (Entered: 10/20/1999)
12/09/1999	4	MOTION for attorney Timothy M. Watson and Howard L. Steele, Jr. to appear pro hac vice by Earl Scheib of KS, Earl Scheib Auto referred to Judge John W. Lungstrum (TRS) (Entered: 12/10/1999)
12/09/1999	5	MOTION with memorandum in support to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto referred to Judge John W. Lungstrum (TRS) (Entered: 12/10/1999)
12/09/1999	6	ANSWER by defendants Earl Scheib of KS, Earl Scheib Auto to complaint [1-1] (TRS) (Entered: 12/10/1999)
12/13/1999	7	WAIVER OF SERVICE of summons by defendant Earl Scheib of KS, and defendant Earl Scheib Auto sent on 10/5/99 and signed on 11/12/99 (TRS) (Entered: 12/14/1999)
12/16/1999	8	ORDER ENTERED: by Judge John W. Lungstrum; granting motion for attorney Timothy M. Watson and Howard L. Steele, Jr. to appear pro hac vice by Earl Scheib of KS, Earl Scheib Auto [4-1] (cc: all counsel) (ICMSUSER) (Entered: 12/17/1999)
12/29/1999	9	MOTION for leave to file an amended complaint by plaintiff; referred to Judge John W. Lungstrum (ICMSUSER) (Entered: 12/30/1999)
12/29/1999	10	MEMORANDUM by plaintiff in support of motion for leave to file an amended complaint by plaintiff; referred to Judge John W. Lungstrum [9-1] (ICMSUSER) (Entered: 12/30/1999)
12/29/1999	11	RESPONSE by plaintiff to motion to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto; referred to Judge John W. Lungstrum [5-1] (ICMSUSER) (Entered: 12/30/1999)
01/10/2000	12	MOTION to extend time until 1/24/00 to respond to motion for leave to file an amended complaint and reply to response to motion to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto referred to Judge John W. Lungstrum (TRS) Modified on 01/13/2000 (Entered: 01/12/2000)
01/13/2000	13	ORDER ENTERED: by Judge John W. Lungstrum granting motion to

		extend time until 1/24/00 to respond to motion for leave to file an amended complaint and reply to response to motion to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto [12-1] (cc: all counsel) (TRS) (Entered: 01/14/2000)
01/21/2000	14	MOTION with memorandum in support to extend itime until 1/31/00 to respond to motion for leave to file an amended complaint by defendant Earl Scheib of KS, defendant Earl Scheib Auto referred to Judge John W. Lungstrum (TRS) (Entered: 01/24/2000)
01/25/2000	15	MOTION to withdraw attorney by Jennifer H. McCoy for plaintiff EEOC referred to Judge John W. Lungstrum (TRS) (Entered: 01/26/2000)
01/26/2000	16	ORDER ENTERED: by Judge John W. Lungstrum granting motion to extend itime until 1/31/00 to respond to motion for leave to file an amended complaint by defendant Earl Scheib of KS, defendant Earl Scheib Auto [14-1] (cc: all counsel) (TRS) (Entered: 01/27/2000)
01/31/2000	17	RESPONSE by defendant Earl Scheib of KS, defendant Earl Scheib Auto to motion for leave to file an amended complaint by plaintiff; referred to Judge John W. Lungstrum [9-1] (TRS) (Entered: 02/01/2000)
01/31/2000	18	REPLY by defendant Earl Scheib of KS, defendant Earl Scheib Auto to response to motion to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto referred to Judge John W. Lungstrum [5-1] (TRS) (Entered: 02/01/2000)
02/01/2000	19	SUPPLEMENT by Earl Scheib of KS, Earl Scheib Auto to motion response [17-1], re: motion for leave to file an amended complaint by plaintiff, w/memorandum in support; referred to Judge John W. Lungstrum [9-1] (TRS) (Entered: 02/02/2000)
02/17/2000	20	REPLY by plaintiff EEOC to response to motion for leave to file an amended complaint by plaintiff; referred to Judge John W. Lungstrum [9-1] (TRS) (Entered: 02/18/2000)
02/17/2000	21	ENTRY OF APPEARANCE for plaintiff EEOC by attorney Andrea G. Baran (TRS) (Entered: 02/18/2000)
03/13/2000	22	MINUTE ORDER ENTERED by Clerk granting motion to withdraw attorney by Jennifer H. McCoy for plaintiff EEOC [15-1] (cc: all counsel) (TRS) (Entered: 03/14/2000)
03/15/2000	23	MEMORANDUM AND ORDER: by Judge John W. Lungstrum; granting in part and denying in part, motion to dismiss by defendants Earl Scheib of KS, and Earl Scheib Auto [5-1]; granting motion for leave to file an amended complaint by plaintiff [9-1]; terminating party Earl Scheib Auto with prejudice 12 pages (cc: all counsel) (ICMSUSER) (Entered: 03/15/2000)
03/15/2000	24	AMENDED COMPLAINT re: complaint [1-1] with trial location of Kansas City KS by plaintiff; jury demand; adding Earl Scheib Inc (ICMSUSER) (Entered: 03/15/2000)

03/17/2000	25	MINUTE ORDER ENTERED by Clerk Case referred to Magistrate Judge David J. Waxse for pretrial purposes (cc: all counsel) (ICMSUSER) (Entered: 03/20/2000)
03/24/2000	26	ANSWER by defendant Earl Scheib of KS, defendant Earl Scheib Inc to amended complaint [24-1] (TRS) (Entered: 03/27/2000)
03/27/2000	27	INITIAL ORDER REGARDING PLANNING AND SCHEDULING ENTERED: by Magistrate Judge David J. Waxse scheduling conference by telephone set for 10:00 5/9/00, to be initiated by the U.S. Magistrate Judge; Notification to counsel of Local Rule requirements. (cc: all counsel) (TRS) (Entered: 03/28/2000)
04/24/2000	28	JOINT PROPOSED SCHEDULING PLAN (REPORT of parties' planning meeting) by plaintiff EEOC (TRS) (Entered: 04/25/2000)
04/24/2000	29	CERTIFICATE OF SERVICE of First Interrogatories and First Request for Production of Documents to deft Earl Scheib, Inc. by plaintiff EEOC (TRS) (Entered: 04/25/2000)
04/24/2000	30	CERTIFICATE OF SERVICE of First Interrogatories and First Request for Production of Documents by plaintiff EEOC (TRS) (Entered: 04/25/2000)
05/11/2000	31	SCHEDULING ORDER ENTERED by Magistrate Judge David J. Waxse; Scheduling Conference held; pretrial conference set for 2:30 p.m. on 10/23/00; jury trial set for 3/6/01; Discovery deadline 9/29/00; dispositive motion deadline 11/2/00 , terminating case referral to Magistrate Judge David J. Waxse (cc: all counsel) (ICMSUSER) (Entered: 05/12/2000)
06/02/2000	32	CERTIFICATE OF SERVICE of Objections to Interrogatories and First Request for Production of Documents by defendants Earl Scheib of KS, and Earl Scheib Inc (TRS) (Entered: 06/06/2000)
06/23/2000	33	ORDER ENTERED: by Judge John W. Lungstrum The clerk shall administratively terminate this action without prejudice to the rights of the parties to reopen the proceedings for good cause shown, for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation. On or before 7/28/00, the parties shall file a stipulation of dismissal signed by the parties. If no such stipulation is received within the specified time and the parties have not reopened for the purpose of obtaining a final determination, this order shall constitute, the Court's entry of final judgment of dismissal with prejudice (cc: all counsel) (TRS) (Entered: 06/26/2000)
07/25/2000	34	CONSENT DECREE by Judge John W. Lungstrum; Order [33-2]; By entering into this Decree, the parties do not intend to resolve any charges of discrimination currently pending before the EEOC other than the charge that created the procedural foundation for the complaint. Earl Scheib of Kansas shall affirmatively notify any purchasers of the obligations of this Decree prior to any sale which may take place. This decree shall be in effect for a 2 year period and can only be extended for

		good cause shown. During the Decree's term, the Court shall retain jurisdiction of this case for purposes of compliance. Each party shall bear that party's own costs and attorneys' fees. (cc: all counsel) (TRS) (Entered: 07/26/2000)
07/25/2000	35	STIPULATION OF DISMISSAL by plaintiff EEOC, and defendants Earl Scheib of KS, Earl Scheib Inc re: consent degree [34-1] (TRS) (Entered: 07/26/2000)

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