

CLOSED, CSREF

U.S. District Court
District of Kansas (Kansas City)
CIVIL DOCKET FOR CASE #: 2:02-cv-02157-JWL-DJW

Briggs v. Aldi Inc (Kansas)
Assigned to: District Judge John W. Lungstrum
Referred to: Magistrate Judge David J. Waxse
Demand: \$75,000
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 04/10/2002
Date Terminated: 11/27/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Veronica Briggs

represented by **Michael W. Shunk**
Long, Luder & Gordon, PA
PO Box 26287
Overland Park, KS 66210
913-491-9300
Fax: 913-491-9323
Email: mshunk@llglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott C. Long
Long, Luder & Gordon, PA
PO Box 26287
Overland Park, KS 66210
913-491-9300
Fax: 913-491-9323
Email: slong@llglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Aldi, Inc. (Kansas)

represented by **Alyssa C. Burghardt**
Seyfarth Shaw
4200 Mid Continental Plaza
55 East Monroe Street
Chicago, IL 60603
312-346-8000

Fax: 269-8869
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

John J. Yates
Husch Blackwell Sanders LLP -- 1200
Main St.
1200 Main Street, Suite 2300
Kansas City, MO 64105
816-421-4800
Fax: 816-421-0596
Email: jack.yates@husch.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sari M. Alamuddin
Seyfarth Shaw
4200 Mid Continental Plaza
55 East Monroe Street
Chicago, IL 60603
312-346-8000
Fax: 269-8869
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|----------|---|
| 04/10/2002 | 1 | COMPLAINT with trial location of Kansas City, Kansas; No summons(es) issued; jury demand (case referred to Magistrate Judge David J. Waxse) (BL) (Entered: 04/10/2002) |
| 04/10/2002 | | FILING FEE PAID on 4/10/02 in the amount of \$150.00 Receipt #093460 (BL) (Entered: 04/10/2002) |
| 06/10/2002 | 2 | MOTION for attorney Sari M. Alamuddin and Alyssa C. Burghardt to appear pro hac vice by defendant Aldi Inc (Kansas) referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) (YH) (Entered: 06/11/2002) |
| 06/10/2002 | 3 | AFFIDAVIT of Sari M. Alamuddin re: motion for attorney Sari M. Alamuddin and Alyssa C. Burghardt to appear pro hac vice by defendant Aldi Inc (Kansas) referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [2-1] (YH) (Entered: 06/11/2002) |
| 06/10/2002 | 4 | AFFIDAVIT of Alyssa Burghardt re: motion for attorney Sari M. Alamuddin and Alyssa C. Burghardt to appear pro hac vice by defendant Aldi Inc (Kansas) referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [2-1] (YH) (Entered: 06/11/2002) |

| | | |
|------------|----|---|
| | | 06/11/2002) |
| 06/10/2002 | 5 | MOTION to dismiss count III of plaintiff's complaint by defendant Aldi Inc (Kansas) referred to Judge John W. Lungstrum (YH) (Entered: 06/11/2002) |
| 06/10/2002 | 6 | MEMORANDUM in support of motion to dismiss count III of plaintiff's complaint by defendant Aldi Inc (Kansas) referred to Judge John W. Lungstrum [5-1] (YH) (Entered: 06/11/2002) |
| 06/10/2002 | 7 | ANSWER by defendant Aldi Inc (Kansas) to complaint [1-1] (YH) (Entered: 06/11/2002) |
| 06/25/2002 | 8 | INITIAL ORDER REGARDING PLANNING AND SCHEDULING ENTERED: by Magistrate Judge David J. Waxse; scheduling conference set for 3:00 p.m. on 7/31/02, U.S. Magistrate Judge to initiate the call; Report of Parties Planning Meeting due by 7/24/02; (cc: all counsel) (TRS) (Entered: 06/26/2002) |
| 06/26/2002 | 9 | MOTION for leave to file amended complaint by plaintiff referred to Judge John W. Lungstrum (KM) Modified on 07/24/2002 (Entered: 06/27/2002) |
| 06/26/2002 | 10 | MEMORANDUM by plaintiff in support of motion for leave to file amended complaint by plaintiff referred to Magistrate Judge David J. Waxse [9-1] (KM) (Entered: 06/27/2002) |
| 06/28/2002 | | PRO HAC VICE FEE PAID re: motion for attorney Sari M. Alamuddin and Alyssa C. Burghardt to appear pro hac vice by defendant Aldi Inc (Kansas) referred to Magistrate Judge David J. Waxse (cc: Attorney Admissions) [2-1]; by attorney Sari Alamuddin, and Alyssa Burghar on 6/28/02 in the amount of \$ 20.00 (Receipt # 094570) (TRS) (Entered: 07/01/2002) |
| 07/03/2002 | 11 | ORDER ENTERED: by Magistrate Judge David J. Waxse; granting motion for attorney Sari M. Alamuddin and Alyssa C. Burghardt to appear pro hac vice by defendant Aldi Inc (Kansas); (cc: Attorney Admissions) [2-1] (cc: all counsel) (TRS) (Entered: 07/05/2002) |
| 07/03/2002 | 12 | MEMORANDUM in opposition by plaintiff to motion to dismiss count III of plaintiff's complaint by defendant Inc (Kansas) referred to Judge John W. Lungstrum [5-1] (KM) (Entered: 07/05/2002) |
| 07/08/2002 | 13 | MOTION to stay the Rule 26(f) conference and scheduling conference set for 07/31/02 pending resolution of their motion for disqualification by defendant; referred to Magistrate Judge David J. Waxse (MG) (Entered: 07/08/2002) |
| 07/08/2002 | 14 | MEMORANDUM (SUGGESTIONS) in support of their motion to stay (defer) the Rule 26(f) conference and scheduling conference set for 07/31/02 pending resolution of their motion for disqualification by defendant; referred to Magistrate Judge David J. Waxse. [13-1] (MG) (Entered: 07/08/2002) |
| 07/08/2002 | 15 | MOTION to disqualify attorney Scott C. Long and the law firm of McCormick Adam & Long as counsel for plaintiff by defendant; referred to Judge John W. Lungstrum (MG) (Entered: 07/08/2002) |

| | | |
|------------|----|--|
| 07/08/2002 | 16 | MEMORANDUM in support of their motion to disqualify attorney Scott C. Long and the law firm of McCormick Adam & Long as counsel for plaintiff by defendant; referred to Judge John W. Lungstrum. [15-1] (MG) (Entered: 07/08/2002) |
| 07/08/2002 | 17 | MEMORANDUM in opposition by defendant to plaintiff's motion for leave to file an amended complaint; referred to Magistrate Judge David J. Waxse. [9-1] (MG) (Entered: 07/08/2002) |
| 07/15/2002 | 18 | ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to stay the Rule 26(f) conference and scheduling conference set for 07/31/02 pending resolution of their motion for disqualification by defendant [13-1]; The deadline set forth in the Court's Initial Order Regarding Planning and Scheduling are suspended until further notice of the Court [8-2]; The telephone conference set for 7/31/02 is continued until further notice of the Court. (cc: all counsel) (CK) (Entered: 07/16/2002) |
| 07/18/2002 | 19 | REPLY by defendant Aldi Inc (Kansas) to response to motion to dismiss count III of plaintiff's complaint by defendant Aldi Inc (Kansas); referred to Judge John W. Lungstrum [5-1] (TRS) (Entered: 07/19/2002) |
| 07/18/2002 | 20 | MOTION to extend time for 5 days in which to respond to motion to disqualify Scott C. Long by plaintiff Veronica Briggs; referred to Judge John W. Lungstrum , to extend time for 5 days to respond to opposition to motion to leave to file first amended complaint by plaintiff Veronica Briggs; referred to Magistrate Judge David J. Waxse (TRS) (Entered: 07/19/2002) |
| 07/18/2002 | 21 | MEMORANDUM by plaintiff Veronica Briggs in support of motion to extend time for 5 days in which to respond to motion to disqualify Scott C. Long by plaintiff Veronica Briggs; referred to Judge John W. Lungstrum [20-1], motion to extend time for 5 days to respond to opposition to motion to leave to file first amended complaint by plaintiff Veronica Briggs; referred to Magistrate Judge David J. Waxse [20-2] (TRS) (Entered: 07/19/2002) |
| 07/23/2002 | 22 | MINUTE ORDER ENTERED by Clerk; granted motion to extend time for 5 days in which to respond to motion to disqualify Scott C. Long by plaintiff Veronica Briggs [20-1]; granted motion to extend time for 5 days to respond to opposition to motion to leave to file first amended complaint by plaintiff Veronica Briggs [20-2]; Plaintiff shall have until 7/26/02 to file her responses; (cc: all counsel) (TRS) (Entered: 07/24/2002) |
| 07/23/2002 | 23 | MINUTE ORDER ENTERED by Clerk; referred to Judge John W. Lungstrum, the motion for leave to file amended complaint by plaintiff [9-1] (cc: all counsel) (TRS) (Entered: 07/24/2002) |
| 07/23/2002 | 24 | ORDER ENTERED: by Magistrate Judge David J. Waxse granting motion to extend time until 7/26/02 to respond to opposition to motion to leave to file first amended complaint by plaintiff Veronica Briggs [20-2]; (cc: all counsel) (TRS) (Entered: 07/24/2002) |
| 07/26/2002 | 25 | REPLY by plaintiff Veronica Briggs to suggestions in opposition to motion for leave to first file amended complaint by plaintiff; referred to Judge John W. Lungstrum [9-1] (TRS) (Entered: 07/29/2002) |

| | | |
|------------|----|--|
| 07/26/2002 | 26 | MEMORANDUM in opposition by plaintiff Veronica Briggs to motion to disqualify attorney Scott C. Long and the law firm of McCormick Adam & Long as counsel for plaintiff by defendant; referred to Judge John W. Lungstrum [15-1] (TRS) (Entered: 07/29/2002) |
| 08/09/2002 | 27 | REPLY by defendant Aldi Inc (Kansas) to response to motion to disqualify attorney Scott C. Long and the law firm of McCormick Adam & Long as counsel for plaintiff by defendant; referred to Judge John W. Lungstrum [15-1] (TRS) (Entered: 08/12/2002) |
| 08/26/2002 | 28 | MEMORANDUM AND ORDER: by Judge John W. Lungstrum; granting motion to dismiss count III of plaintiff's complaint by defendant Aldi Inc (Kansas) [5-1]; granted in part and denied in part motion for leave to file amended complaint by plaintiff [9-1]; the motion is granted to the extent plaintiff seeks to include class allegations and is denied to the extent plaintiff seeks to include class allegations and to the extent plaintiff seeks to reassert a claim for intentional infliction of emotional distress. Plaintiff to file amended complaint on or before 9/6/02; denied motion to disqualify attorney Scott C. Long and the law firm of McCormick Adam & Long as counsel for plaintiff by defendant [15-1]; 17 pages (cc: all counsel) (TRS) (Entered: 08/27/2002) |
| 09/06/2002 | 29 | AMENDED COMPLAINT re: complaint [1-1] with trial location of Kansas City, KS by plaintiff Veronica Briggs; jury demand (TRS) (Entered: 09/09/2002) |
| 09/25/2002 | 30 | MOTION to dismiss count 1 and all class action allegations from first amended complaint by defendant Aldi Inc (Kansas); referred to Judge John W. Lungstrum (TRS) (Entered: 09/26/2002) |
| 09/25/2002 | 31 | MEMORANDUM by defendant Aldi Inc (Kansas) in support of motion to dismiss count 1 and all class action allegations from first amended complaint by defendant Aldi Inc (Kansas); referred to Judge John W. Lungstrum [30-1] (TRS) (Entered: 09/26/2002) |
| 09/26/2002 | 32 | ANSWER by defendant Aldi Inc (Kansas) to amended complaint [29-1] (TRS) (Entered: 09/26/2002) |
| 10/11/2002 | 33 | REVISED ORDER REGARDING PLANNING AND SCHEDULING ENTERED: by Magistrate Judge David J. Waxse; scheduling conference set for 11:00 a.m. on 11/14/02, Report of Parties' Planning Meeting due by 11/7/02; (cc: all counsel) (TRS) (Entered: 10/11/2002) |
| 10/18/2002 | 34 | MOTION to extend time to respond to defendants' motion to dismiss count 1 and all class action allegations from plaintiff's first amended complaint by plaintiff Veronica Briggs; referred to Magistrate Judge John W. Lungstrum (TRS) Modified on 10/21/2002 (Entered: 10/21/2002) |
| 10/18/2002 | 35 | MEMORANDUM by plaintiff Veronica Briggs in support of motion to extend time to respond to defendants' motion to dismiss count 1 and all class action allegations from plaintiff's first amended complaint by plaintiff Veronica Briggs; referred to Magistrate Judge David J. Waxse [34-1] (TRS) (Entered: 10/21/2002) |
| 10/21/2002 | 36 | ORDER ENTERED: by Judge John W. Lungstrum; granting motion to extend time |

| | | |
|------------|----|--|
| | | until 10/25/02 to respond to defendants' motion to dismiss count 1 and all class action allegations from plaintiff's first amended complaint by plaintiff Veronica Briggs [34-1]; (cc: all counsel) (TRS) (Entered: 10/21/2002) |
| 10/25/2002 | 37 | MEMORANDUM in opposition by plaintiff to defendant's motion to dismiss count 1 and all class action allegations from plaintiff's first amended complaint; referred to Judge John W. Lungstrum. [30-1] (MG) (Entered: 10/25/2002) |
| 11/25/2002 | 38 | MOTION for leave of the Court to voluntarily dismiss class action claims by plaintiff; referred to Judge John W. Lungstrum (MG) (Entered: 11/26/2002) |
| 11/25/2002 | 39 | MEMORANDUM in support of her motion for leave of the Court to voluntarily dismiss class action claims by plaintiff; referred to Judge John W. Lungstrum. [38-1] (MG) (Entered: 11/26/2002) |
| 11/27/2002 | 40 | STIPULATION (NOTICE) OF DISMISSAL OF CASE pursuant to Rule 41 (TRS) (Entered: 11/29/2002) |
| 12/03/2002 | 41 | ORDER OF DISMISSAL ENTERED: by Judge John W. Lungstrum; Plaintiff's claims against Aldi, Inc. as set forth in this Petition is dismissed with prejudice, each party shall bear their own costs and expenses; Order of Dismissal [40-1] (cc: all counsel) (TRS) (Entered: 12/04/2002) |

PACER Service Center

Transaction Receipt

03/19/2008 07:06:12

| | | | |
|------------------------|---------------|-------------------------|-----------------------|
| PACER Login: | wu0079 | Client Code: | Kuznick |
| Description: | Docket Report | Search Criteria: | 2:02-cv-02157-JWL-DJW |
| Billable Pages: | 4 | Cost: | 0.32 |