

REFERD, TERMED

**U.S. District Court
Eastern District of Kentucky (Lexington)
CIVIL DOCKET FOR CASE #: 5:99-cv-00383-KSF**

EEOC v. GTE South Inc
Assigned to: Karl S. Forester
Referred to: Mag Judge James B. Todd
Demand: \$0
Cause: 29:623 Job Discrimination (Age)

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

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jamie Darin Prenkert**
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TERMINATED: 07/17/2000
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V.

Defendant

GTE South Incorporated

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Date Filed	#	Docket Text
09/30/1999	1	COMPLAINT (1 summons(es) issued) with copy (SKV) (Entered: 10/01/1999)
10/21/1999	2	RETURN OF SERVICE executed upon defendant GTE South Inc on 10/12/99 by certified mail to CT Corporation (SKV) (Entered: 10/21/1999)
11/01/1999	3	AGREED ORDER by Judge Karl S. Forester Deft shall have until 11/9/99 to answer or respond to complaint (cc: all counsel) [EOD Date: 11/1/99] (DC) (Entered: 11/01/1999)
11/09/1999	4	ANSWER by defendant GTE South Inc to COMPLAINT [1-1] (SKV) (Entered: 11/09/1999)

11/10/1999	5	ORDER FOR MEETING AND REPORT by Judge Karl S. Forester counsel to conduct meeting by 12/9/99; exchange discl FILE written JOINT REPORT by 12/19/99; (cc: all counsel) [EOD Date: 11/10/99] (SKV) (Entered: 11/10/1999)
12/15/1999	6	DISCLOSURE PURSUANT TO RULE 26(a)(1) by defendant GTE South Inc (DC) (Entered: 12/15/1999)
12/16/1999	7	JOINT REPORT OF PARTIES' PLANNING MEETING (SKV) (Entered: 12/16/1999)
12/17/1999	8	SCHEDULING ORDER by Judge Karl S. Forester: 1) DISCLOSE experts by 4/16/00; rebuttal expert 30 days later; 2) discovery ddl 7/16/00; motions to amd filing ddl 7/16/00; 3) dispositive motion ddl 8/16/00; 4) pretrial filings due 11/6/00; 5) PRE-MARK exhibits 11/6/00; 5) CONDUCT jury instruction conf by 11/6/00; 7) conduct good faith settlement conf by 11/13/00; 8) FILE obj to exhibits or use of depos by 11/13/00; 9) PRETRIAL CONFERENCE assigned Mon., 11/20/00 @ 9:00 AM; 10) at PTC file AGREED proposed jury instructions; 11) TWO working days prior to trial, SUBMIT copy of each exh to chambers; 12) ASSIGNED for JURY TRIAL on Tues., 1/2/01 @ 9:00 AM; 13) DISCOVERY DISPUTES referred to Mag Judge James B. Todd (cc: all counsel) [EOD Date: 12/17/99] (SKV) (Entered: 12/17/1999)
03/29/2000	9	ANSWERS by pla EEOC to dft's first set of interrogatories (SKV) (Entered: 03/29/2000)
03/29/2000	10	VOLUNTARY INITIAL DISCLOSURES by plaintiff EEOC (SKV) (Entered: 03/29/2000)
03/29/2000	11	RESPONSES TO REQUEST for production of documents by plaintiff EEOC (SKV) (Entered: 03/29/2000)
05/15/2000	12	NOTICE by defendant GTE South Inc of taking deposition of William Lowery on 5/24/00 @ 10:00 AM (SKV) (Entered: 05/16/2000)
06/08/2000	13	DEPOSITION of WILLIAM R. LOWERY taken on the following date(s): 5/24/00 @ 10:10 a.m. by: defts (SEP. VOL.) (DC) (Entered: 06/09/2000)
06/21/2000	14	NOTICE OF SUBPOENA DUCES TECUM by dft GTE South Inc of taking deposition of Paul Jeckering on 7/6/00 @ 10:00 AM if documents are not produced by 7/5/00 (SKV) (Entered: 06/22/2000)
06/21/2000	15	NOTICE OF SUBPOENA DUCES TECUM by dft GTE South Inc of taking deposition of AT&T Custodian of Records on 7/7/00 @ 2:00 PM if records are not produced by 7/6/00 (SKV) (Entered: 06/22/2000)
06/21/2000	16	NOTICE OF SUBPOENA DUCES TECUM by dft GTE South Inc of taking deposition of Robert G. Chatham on 6/29/00 @ 3:00 PM if records are not produced by 6/28/00 (SKV) (Entered: 06/22/2000)
06/21/2000	17	NOTICE OF SUBPOENA DUCES TECUM by dft GTE South Inc of taking deposition of Brenda Vance on 6/29/00 @ 9:00 AM if records are not produced by 6/28/00 (SKV) (Entered: 06/22/2000)
06/21/2000	18	NOTICE OF SUBPOENA DUCES TECUM by dft GTE South of taking deposition of Tami Hill on 7/13/00 @ 1:30 PM if records not produced by

		7/10/00 (SKV) (Entered: 06/22/2000)
06/22/2000	19	DEPOSITION of RONALD EUGENE PORTER taken on the following date(s): 6/6/00 @ 2:15 PM by: Pla (SEP. VOL.) (SKV) (Entered: 06/22/2000)
06/26/2000	20	RETURN OF SERVICE by defendant GTE South Inc of DEPOSITION SUBPOENA issued on Paul Jeckering, Wal-Mart to appear on 7/6/00 @ 10:00 a.m. & produce records showing personal service on 6/23/00 (DC) (Entered: 06/26/2000)
06/28/2000	21	RETURN OF SERVICE by defendant GTE South Inc of DEPOSITION SUBPOENA issued on AT&T Custodian of Records to produce records on 7/7/00 @ 2:00 p.m. showing personal service on 6/26/00 (DC) (Entered: 06/28/2000)
06/28/2000	22	RE-NOTICE OF SUBPOENA DUCES TECUM by defendant GTE South Inc of taking deposition of BRENDA VANCE on 7/12/00 @ 9:00 a.m. (DC) (Entered: 06/29/2000)
06/29/2000	23	NOTICE OF SUBPOENA DUCES TECUM by defendant GTE South Inc of taking deposition of KEVAN JACKSON on 6/12/00 @ 2:00 p.m. (DC) (Entered: 06/29/2000)
06/29/2000	24	RETURN OF SERVICE by dft GTE South Inc of Robrt G. Chatham to produce documents 6/29/00 @ 3:00 p.m. (SKV) (Entered: 07/06/2000)
06/30/2000	25	RETURN OF SERVICE by dft GTE South Inc of SUBPOENA to Brenda Vance to produce documents on 7/12/00 @ 9:00 AM (SKV) (Entered: 07/06/2000)
07/03/2000	26	RETURN OF SERVICE by dft GTE South Inc of SUBPOENA to Kevan Jackson to produce documents on 7/12/00 @ 2:00 PM (SKV) (Entered: 07/06/2000)
07/03/2000	27	RETURN OF SERVICE by dft GTE South Inc of SUBPOENA to Tami Hill to produce documents on 7/13/00 @ 1:30 PM (SKV) (Entered: 07/06/2000)
07/05/2000	28	NOTICE by dft GTE South Inc of taking deposition of Kevan Jackson on 7/12/00 @ 2:00 PM (SKV) (Entered: 07/06/2000)
07/13/2000	29	NOTICE by dft GTE South Inc of taking deposition of William Lowery on 7/14/00 @ 2:00 PM (SKV) (Entered: 07/17/2000)
07/17/2000	30	WITHDRAWAL OF APPEARANCE by attorney Michelle E. Smith for EEOC (SKV) (Entered: 07/17/2000)
07/18/2000	31	DEPOSITION of JEFFREY L. WILSON taken on the following date(s): 6/7/00 @ 2:40 PM by: Pla. (SEP. VOL.) (SKV) (Entered: 07/18/2000)
07/18/2000	32	DEPOSITION of JAMES C. PAINTER, SR. taken on the following date(s): 7/7/00 @ 10:50 AM by: Pla (SEP. VOL.) (SKV) (Entered: 07/18/2000)
07/25/2000	33	DEPOSITION of WILLIAM LOWERY taken on the following date(s): 7/14/00 2:20 PM by: Dft. (SEP. VOL.) (SKV) (Entered: 07/26/2000)
08/15/2000	34	DEPOSITION of JOSEPH MEDICIS taken on the following date(s): 6/26/00 @ 11:55 AM by: Pla (SEP. VOL.) (SKV) (Entered: 08/15/2000)

08/15/2000	35	DEPOSITION of WILLIAM E> DAWSON taken on the following date(s): 6/28/00 @ 2:05 PM by: Pla (SEP. VOL.) (SKV) (Entered: 08/15/2000)
08/15/2000	36	DEPOSITION of LINDA FISHER taken on the following date(s): 6/15/00 @ 3:10 PM by: Pla (SEP. VOL.) (SKV) (Entered: 08/15/2000)
08/16/2000	37	DEPOSITION of KEVAN JACKSON taken by Dft 7/12/00 (SEP. VOL.) (SKV) (Entered: 08/16/2000)
08/16/2000	38	MOTION by dft GTE South Inc for summary judgment and dismissal of claims w/ memo (SKV) (Entered: 08/16/2000)
08/28/2000	39	MOTION by pla EEOC to extend time to respond to dft motion for summary judgment & dismissal of claims (SKV) (Entered: 08/29/2000)
09/01/2000	40	ORDER by Judge Karl S. Forester: upon motion to extend time to respond to dft motion for summary judgment & dismissal of claims [39-1] pla has to 9/20/00 (cc: all counsel) [EOD Date: 9/1/00] (SKV) (Entered: 09/01/2000)
09/20/2000	41	STATEMENT OF POINTS & AUTHORITIES w/ RESPONSE by plaintiff EEOC to GTE's motion for summary judgment & dismissal of claims [38-1] (SKV) (Entered: 09/21/2000)
09/28/2000	42	JOINT STIPULATION dft has to 10/9/00 to file reply (SKV) (Entered: 09/28/2000)
10/02/2000	43	NOTICE OF SUPPLEMENTATION by plaintiff EEOC to plaintiff's memorandum of law in response to GTE's motion for summary judgment (SKV) (Entered: 10/02/2000)
10/10/2000	44	REPLY by dft GTE South Inc in support of motion for summary judgment and dismissal of claims [38-1] (SKV) (Entered: 10/10/2000)
10/18/2000	45	MOTION by plaintiff EEOC for oral argument on Motion for Summary Judgment (SKV) (Entered: 10/18/2000)
10/23/2000	46	RESPONSE by dft GTE South Inc to motion for oral argument on Motion for Summary Judgment [45-1] (SKV) (Entered: 10/24/2000)
10/27/2000	47	NOTICE OF SUPPLEMENTATION & REPLY by plaintiff EEOC to GTE's response to motion for oral argument on Motion for Summary Judgment [45-1] (SKV) (Entered: 10/27/2000)
11/06/2000	48	PRETRIAL MEMORANDUM by plaintiff EEOC (SKV) (Entered: 11/06/2000)
11/06/2000	49	WITNESS & EXHIBIT list submitted by plaintiff EEOC (SKV) (Entered: 11/06/2000)
11/06/2000	50	PRETRIAL COMPLIANCE by dft GTE South Inc w/ witness & exhibit list (SKV) (Entered: 11/06/2000)
11/09/2000	51	OPINION AND ORDER by Judge Karl S. Forester denying motion for summary judgment and dismissal of claims [38-1] denying motion for oral argument on Motion for Summary Judgment [45-1] (cc: all counsel) [EOD Date: 11/9/00] (DC) (Entered: 11/09/2000)

11/13/2000	52	JOINT MOTION for amendment of Scheduling Order (SKV) (Entered: 11/13/2000)
11/13/2000	53	MOTION by dft GTE South Inc in limine to preclude pla from eliciting testimony re: statement made by Jim Painter at meeting in March 1998 (SKV) (Entered: 11/13/2000)
11/14/2000	54	ORDER by Judge Karl S. Forester granting motion for amendment of Scheduling Order [52-1]; deadline for premarking trial exhibits and providing copies to opposing counsel and filing objections, and responses to same and to the use of depositions or to the amissibility of exhibits shall be established at the PTC (cc: all counsel) [EOD Date: 11/14/00] (DC) (Entered: 11/14/2000)
11/20/2000	55	ORDER by Judge Karl S. Forester: PRETRIAL CONFERENCE HELD 11/20/00; Cindy Hutchinson; 1) dft motion in limine to preclude pla from eliciting testimony re: statement made by Jim Painter at meeting in March 1998 [53-1] DENIED; 2) parties attempt to agree on jury instruction & shall file proposed instructions by 12/27/00; 3) parties shall premark & exchange copies of trial exhibits & shall file obj by 12/27/00 (cc: counsel) [EOD Date: 11/20/00] (SKV) (Entered: 11/20/2000)
12/21/2000	56	MOTION by defendant GTE South Inc for reinstatement in the event of a finding of liability (DC) (Entered: 12/22/2000)
12/22/2000	57	ORDER by Judge Karl S. Forester setting hearing on motion for reinstatement in the event of a finding of liability [56-1] 2:00 12/26/00 in Courtroom A (cc: all counsel) [EOD Date: 12/22/00] (DC) (Entered: 12/22/2000)
12/22/2000		----- V O L U M E T W O ----- (SKV) (Entered: 12/27/2000)
12/26/2000	58	NOTICE OF ENTRY OF ATTORNEY APPEARANCE for plaintiff EEOC by Jamie Darin Prenkert (SKV) (Entered: 12/27/2000)
12/26/2000	59	NOTICE by plaintiff EEOC of SUBMISSION of plaintiff's trial exhibits (SKV) (Entered: 12/27/2000)
12/26/2000	60	OBJECTIONS by plaintiff EEOC to GTE's proposed trial exhibits (SKV) (Entered: 12/27/2000)
12/26/2000	61	RESPONSE by plaintiff EEOC to GTE's motion for instatement in the event of a finding of liability [56-1] (SKV) (Entered: 12/27/2000)
12/26/2000	62	PROPOSED JURY INSTRUCTIONS submitted by plaintiff EEOC on the substantive law of the case (SKV) (Entered: 12/27/2000)
12/27/2000	63	ORDER by Judge Karl S. Forester: HEARING HELD 12/26/00 on motion for Hearing on Motion of dft for instatement in event of finding of liability; 1) Court RESERVES RULING on motion of dft GTE for reinstatement in the event of a finding of liability [56-1]; 2) matter ASSIGNED for hearing on obj to exhibits on FRIDAY, DECEMBER 29, 2000 @ 11:00 AM (cc: all counsel) [EOD Date: 12/27/00] (SKV) (Entered: 12/27/2000)
12/27/2000	64	OBJECTIONS by dft GTE South Inc to plaintiff's proposed exhibits (SKV) (Entered: 12/28/2000)

12/27/2000	65	PROPOSED JURY INSTRUCTIONS by dft GTE South Inc on Liability (SKV) (Entered: 12/28/2000)
12/27/2000	66	PROPOSED JURY INSTRUCTIONS by dft GTE South Inc on damages (SKV) (Entered: 12/28/2000)
12/28/2000	67	MOTION by plaintiff EEOC to enforce agreement regarding certain stipulation of facts, or in the alternative, request for a telephonic deposition (SKV) (Entered: 12/28/2000)
12/28/2000	68	RESPONSE by dft GTE South Inc to plaintiff's objections to GTE's Proposed Trial Exhibits (SKV) (Entered: 12/28/2000)
12/29/2000	69	ORDER by Judge Karl S. Forester: HEARING HELD 12/29/00; Cindy Hutchinson, Court Reporter; matter passed pending submission of Agreed Order of Settlement (cc: all counsel) [EOD Date: 12/29/00] (SKV) (Entered: 12/29/2000)
02/08/2001	70	JOINT MOTION for dismissal w/ Agreed Order (SKV) (Entered: 02/09/2001)
02/12/2001	71	ORDER by Chief Judge Karl S. Forester: pla complaint dismissed with prejudice as settled, each party bear its own costs & Atty fees; express condition of Order that Court retain jurisdiction to adjudicate claim that either party breached any provision of Settlement Agreement (cc: all counsel) [EOD Date: 2/12/01] (SKV) (Entered: 02/12/2001)
07/27/2001	72	NOTICE OF DEPOSITION DESTRUCTION (SKV) (Entered: 07/27/2001)
08/14/2001	73	DEPOSITION DESTRUCTION CERTIFICATE (SKV) (Entered: 08/16/2001)

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