

TERMED

**U.S. District Court
Eastern District of Kentucky (Frankfort)
CIVIL DOCKET FOR CASE #: 3:00-cv-00066-JMH**

EEOC v. Shelbyville Mixing, et al
Assigned to: Joseph M. Hood
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/22/2000
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Barbara A. Seely**
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V.

Defendant

Shelbyville Mixing Center, Inc.

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TERMINATED: 09/20/2002
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Defendant

International Brotherhood of Teamsters
Local Union 89
TERMINATED: 12/13/2000

represented by **Irwin H. Cutler, Jr.**
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J. Keith Smith
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TERMINATED: 12/13/2000
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Defendant

**General Drivers, Warehousemen &
Helpers, Local Union No. 89**
TERMINATED: 01/17/2003

represented by **Irwin H. Cutler, Jr.**
(See above for address)
TERMINATED: 09/27/2002
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Robert Colone
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502-368-5885
TERMINATED: 01/17/2003
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Date Filed	#	Docket Text
09/22/2000	1	COMPLAINT (1 summons issued) (CBD) (Entered: 09/22/2000)
10/16/2000		SUMMONS issued as to defendant Intl Brother Team c/o Fred Zuckerman, President (CBD) (Entered: 10/16/2000)
10/23/2000	2	MOTION by defendant Shelbyville Mixing to extend time to answer or otherwise move (CBD) (Entered: 10/25/2000)
11/01/2000		SUBMITTED re motion to extend time to answer or otherwise move [2-1] (CBD) (Entered: 11/01/2000)
11/13/2000	3	ANSWER by defendant Intl Brother Team to [1-1] (CBD) (Entered: 11/14/2000)
11/14/2000	4	GENERAL STATUS ORDER; Joint Status Rpt due 12/14/00 (cc: all counsel) [EOD Date: 11/14/00] (CBD) (Entered: 11/14/2000)
11/20/2000	5	ORDER by Judge Joseph M. Hood: dft shall have to 11/22/00 to ans or otherwise resp to the cmp (cc: all counsel) [EOD Date: 11/20/00] (CBD) (Entered: 11/20/2000)
11/22/2000	6	ANSWER by defendant Shelbyville Mixing to Cmp [1-1] (CBD) (Entered: 11/27/2000)
12/04/2000	7	RETURN OF SERVICE executed upon defendant Intl Brother Team c/o Fred Zuckerman, President on 10/23/00 by Cert Mail (CBD) (Entered: 12/05/2000)
12/04/2000	8	RETURN OF SERVICE executed upon CT Corporation on 10/2/00 by cert mail (CBD) (Entered: 12/05/2000)
12/11/2000	9	UNOPPOSED MOTION by plaintiff EEOC for leave to amend cmp (CBD) (Entered: 12/12/2000)
12/11/2000	10	MEMORANDUM by plaintiff EEOC in support of motion for leave to amend cmp [9-1] (CBD) (Entered: 12/12/2000)
12/11/2000		PROPOSED Amended Cmp tendered by plaintiff EEOC (CBD) (Entered: 12/12/2000)
12/12/2000	11	ORDER by Judge Joseph M. Hood: Dfts indicate they have no obj to pltf's mtn [9-1] & ct being advised, does now GRANT the mtn. Clerk shall accept Amd Cmp as subm to ct. Ct directs dfts that they need not respond to the amd cmp. (cc: all counsel) [EOD Date: 12/13/00] (CBD) (Entered: 12/13/2000)
12/13/2000	12	AMENDED COMPLAINT [1-1] by plaintiff EEOC; adding Gen Drivers, Whs; jury demand (CBD) (Entered: 12/13/2000)

12/15/2000	13	REPORT OF PARTIES PLANNING MEETING by the parties (CBD) (Entered: 12/18/2000)
12/28/2000	14	NOTICE TO ATTORNEY Bobby C. Simpson By Clerk re: L.R.3- Attorney Admission procedure (CBD) (Entered: 12/28/2000)
01/11/2001	15	ORDER by Judge Joseph M. Hood: 1) motion to amd filing ddl 4/30/01; 2) discovery ddl 8/31/01; 3) dispositive motion ddl 10/31/01; 4) mtns in limie ddl 11/30/01 5) pretrial conference set for 4:00 3/18/01, Fkt; 6) pretrial filings due 3/11/01; 7) jury trial set for 9:00 4/22/01, Fkt (cc: all counsel) [EOD Date: 1/11/01] (CBD) (Entered: 01/11/2001)
01/22/2001	16	LETTER from Bobby C. Simpson re Admission (CBD) (Entered: 01/22/2001)
02/13/2001	17	RESPONSES TO PLTF'S FIRST SET OF INTERROGATORIES & REQUEST FOR PRODUCTION OF DOC.S by defendant Gen Drivers, Whs (CBD) (Entered: 02/13/2001)
02/14/2001	18	ORDER by Judge Joseph M. Hood; the 11/30/01 ddl for filing mtns in limine be revised to reflect the date of 3/31/02 (cc: all counsel) [EOD Date: 2/14/01] (CBD) (Entered: 02/14/2001)
04/19/2001	19	MOTION by plaintiff EEOC for partial summary judgment (CBD) (Entered: 04/20/2001)
04/19/2001	20	BRIEF by plaintiff EEOC in support of motion for partial summary judgment [19-1] (CBD) (Entered: 04/20/2001)
05/04/2001	21	RESPONSE by defendant Shelbyville Mixing to pltf's motion for partial summary judgment [19-1] (CBD) (Entered: 05/07/2001)
05/18/2001	22	REPLY by plaintiff EEOC to Shelbyville Mixing Ctr's response to motion for partial summary judgment [19-1] (CBD) (Entered: 05/18/2001)
05/18/2001		SUBMITTED re motion for partial summary judgment [19-1] (CBD) (Entered: 05/18/2001)
06/01/2001	23	ORDER by Judge Joseph M. Hood: 1) pltf's mtn for partial sum jgm [19-1] is GRANTED IN PART & DENIED IN PART (a) pltf's mtn to dismiss dft's claim that cmp fails to state claim for which relief may be granted is GRANTED (b) all pltf's remaining requests for dismissal are DENIED W/OUT PREJUDICE 2) pltf is GRANTED LEAVE TO REFILE ITS MTN FOR SUM JGM AT CLOSE OF DISCOVERY 3) previously ordered disc proceedings are STAYED pending resolution of jurisdictional issue at bar 4) parties UNDERTAKE DISCOVERY proceedings which address concerns of ct, as outlined in above opinion (cc: all counsel) [EOD Date: 6/1/01] (CBD) Modified on 08/21/2001 (Entered: 06/01/2001)
08/06/2001	24	MOTION by plaintiff EEOC to allow general disc & suspend disc ddl (CBD) (Entered: 08/07/2001)

08/06/2001	25	MEMORANDUM by plaintiff EEOC in support of motion to allow general disc & suspend disc ddl [24-1] (CBD) (Entered: 08/07/2001)
08/20/2001	26	RESPONSE by defendant Shelbyville Mixing to pltf's motion to allow general disc & suspend disc ddl [24-1] (CBD) (Entered: 08/20/2001)
09/05/2001		SUBMITTED re motion to allow general disc & suspend disc ddl [24-1] (CBD) (Entered: 09/05/2001)
09/06/2001	27	ORDER by Judge Joseph M. Hood: EEOC has moved for an order lifting stay of disc that ct imposed 6/1/01 [24-1]. The Ct now GRANTS this mtn. Further ORD disc ddl of 8/31/01 be ext. W/in 10 days parties meet to dev new proposed disc plan. W/in 10 days of meeting parties file a jnt status rpt (cc: all counsel) [EOD Date: 9/7/01] (CBD) Modified on 09/07/2001 (Entered: 09/07/2001)
10/11/2001	28	JOINT PLANNING MEETING REPORT by plaintiff, defendant (CBD) (Entered: 10/11/2001)
10/23/2001	29	ORDER by Judge Joseph M. Hood 1) motion to amd filing ddl 12/31/01; 2) discovery ddl 7/31/02; 3) rpts retained from experts from pltf due 6/30/02 & dfts 7/31/02 4) disp motion ddl 9/30/02; 5) mtn in limine ddl 10/30/02 6) pretrial conference set for 4:00 2/10/03, Fkt; 7) pretrial filings due 2/3/03; 8) jury trial set for 9:00 3/10/03, Fkt (cc: all counsel) [EOD Date: 10/23/01] (CBD) Modified on 10/23/2001 (Entered: 10/23/2001)
12/13/2001	30	ORDER SET ASIDE 1/3/02-----ORDER by Judge Joseph M. Hood: 1) w/in 21 days parties shall meet & deveop a proposed disc plan 2) w/in 10 days after meeting parties file jnt status rpt (cc: all counsel) [EOD Date: 12/14/01] (CBD) Modified on 01/04/2002 (Entered: 12/14/2001)
01/02/2002	31	ADVISE TO COURT IN RESPONSE by defendant Shelbyville Mixing to Order of 12/12/01 [30-1] (CBD) Modified on 01/02/2002 (Entered: 01/02/2002)
01/03/2002	32	ORDER by Judge Joseph M. Hood: Record No. 30 is SET ASIDE. (cc: all counsel) [EOD Date: 1/4/02] (SAM) Modified on 01/04/2002 (Entered: 01/04/2002)
01/03/2002		REMARK: Entry No. 30 - Order - SET ASIDE. (SAM) (Entered: 01/04/2002)
01/11/2002	33	MOTION by defendant Shelbyville Mixing for summary judgment on the issue of conciliation (CBD) (Entered: 01/11/2002)
01/11/2002	34	MEMORANDUM by defendant Shelbyville Mixing in support of motion for summary judgment on the issue of conciliation [33-1] (CBD) (Entered: 01/11/2002)
01/30/2002		SUBMITTED re motion for summary judgment on the issue of conciliation [33-1] (SAM) (Entered: 01/30/2002)
01/31/2002	35	UNOPPOSED MOTION by plaintiff EEOC to ext time to resp to Shelbyville Mixing Ctr's mtn for sum jgm until 2/15/02 (CBD) (Entered: 01/31/2002)

01/31/2002		SUBMITTED re motion to ext time to resp to Shelbyville Mixing Ctr's mtn for sum jgm until 2/15/02 [35-1] (CBD) (Entered: 01/31/2002)
02/06/2002	36	ORDER by Judge Joseph M. Hood: EEOC has moved to ext time to resp to Shelbyville Mixing Ctr's mtn for sum jgm The Ct now GRANTS the mtn [35-1] Pltf granted permission to file resp to mtn for sum jgm by 2/15/02 (cc: all counsel) [EOD Date: 2/7/02] (CBD) Modified on 02/19/2002 (Entered: 02/07/2002)
02/15/2002	37	RESPONSE by plaintiff to dft's motion for summary judgment on the issue of conciliation [33-1], w/affidavits of Marcia Hall-Craig, Hazel Emly (copy), and Susan Ryan. (SAM) (Entered: 02/21/2002)
03/04/2002		SUBMITTED re motion for summary judgment on the issue of conciliation [33-1] (SAM) (Entered: 03/04/2002)
03/05/2002	38	REPLY by defendant Shelbyville Mixing to pltf's response to motion for summary judgment on the issue of conciliation [33-1] (CBD) (Entered: 03/05/2002)
03/05/2002		SUBMITTED re motion for summary judgment on the issue of conciliation [33-1] (CBD) (Entered: 03/05/2002)
04/12/2002	39	ATTORNEY APPEARANCE for plaintiff EEOC by Barbara A. Seely, Jan Shelly, Melvin Kennedy (CBD) (Entered: 04/12/2002)
04/17/2002	40	JOINT MOTION by plf EEOC and dft Shelbyville Mixing for extens of disc and trial ddls. (SAM) (Entered: 04/17/2002)
04/19/2002	41	ORDER by Judge Joseph M. Hood: 1) disc be completed on or before 11/30/02 2) rpts from experts due from pltf by 10/31/02 and dfts 11/30/02 3) disp mtns ddl 1/30/03 4) mtns in limine ddl 2/28/03 5) pretrial conference rescheduled to 5/12/03 @ 1:00 and trial for 6/24/03 @ 9:00 (cc: all counsel) [EOD Date: 4/22/02] (CBD) (Entered: 04/22/2002)
05/13/2002	42	WITHDRAWAL OF APPEARANCE by plaintiff EEOC to withdraw attorney, Laurie A. Young (CBD) Modified on 05/13/2002 (Entered: 05/13/2002)
05/13/2002	43	WITHDRAWAL OF APPEARANCE by plaintiff EEOC to withdraw attorney, Michelle Eisele (CBD) (Entered: 05/13/2002)
05/13/2002	44	MOTION TO WITHDRAW APPEARANCE by plaintiff EEOC to withdraw attorney, Kenneth L. Bird (CBD) (Entered: 05/13/2002)
05/16/2002	45	ORDER by Judge Joseph M. Hood: parties file original depo.s of Hazel Duncan Emly, Susan Ryan and Marcia Hall-Craig w/in 15 days of this Order (cc: all counsel) [EOD Date: 5/17/02] (CBD) (Entered: 05/17/2002)
05/16/2002	46	MEMORANDUM OPINION AND ORDER: by Judge Joseph M. Hood: dft's mtn for summary judgment (on the issue of conciliation) [33-1] DENIED (cc: all counsel) [EOD Date: 5/17/02] (CBD) (Entered: 05/17/2002)

05/20/2002	47	ORDER by Judge Joseph M. Hood granting motion to withdraw attorney, Michelle Eisele [43-1]; Ms Eisele's appearance is ordered w/drawn. for EEOC (cc: all counsel) [EOD Date: 5/21/02] (SAM) (Entered: 05/21/2002)
05/20/2002	48	ORDER by Judge Joseph M. Hood granting motion to withdraw attorney, Kenneth L. Bird [44-1]; Mr Bird's appearance is ordered w/drawn. (cc: all counsel) [EOD Date: 5/21/02] (SAM) (Entered: 05/21/2002)
05/20/2002	49	ORDER by Judge Joseph M. Hood granting motion to withdraw attorney, Laurie A. Young [42-1]; Ms Young's appearance is ordered w/drawn. (cc: all counsel) [EOD Date: 5/21/02] (SAM) (Entered: 05/21/2002)
05/22/2002	50	DEPOSITION of MARCIA HALL-CRAIG taken on the following date(s): 10/31/01 by: DFTS (SEP. VOL.) (SAM) (Entered: 05/22/2002)
05/22/2002	51	DEPOSITION of SUSAN RYAN taken on the following date(s): 10/31/01 by: DFTS (SEP. VOL.) (SAM) (Entered: 05/22/2002)
05/22/2002	52	DEPOSITION of HAZEL DUNCAN EMLY taken on the following date(s): 10/31/01 by: DFTS (SEP. VOL.) (SAM) (Entered: 05/22/2002)
05/23/2002		----- V O L U M E 2 ----- ----- (CBD) (Entered: 05/28/2002)
09/18/2002	53	ORDER by Judge Joseph M. Hood: Telephone conf is sched at 10:00 am, 9/19/02. Parties shall initiate call. (cc: all counsel) [EOD Date: 9/18/02] (SAM) Modified on 09/18/2002 (Entered: 09/18/2002)
09/18/2002	54	MOTION by counsel for defendant Shelbyville Mixing to withdraw as attorney for Shelbyville Mixing Center. (SAM) (Entered: 09/18/2002)
09/20/2002	55	ORDER by Judge Joseph M. Hood: motion to withdraw counsel filed by Frost Brown Todd LLC & attys C. Laurence Woods III and William F. Becker is granted [54-1] (cc: all counsel) [EOD Date: 9/23/02] (CBD) (Entered: 09/23/2002)
09/25/2002	56	MOTION by defendant Gen Drivers, Whs to substitute counsel (CBD) (Entered: 09/26/2002)
09/27/2002	57	ORDER by Judge Joseph M. Hood granting motion to substitute counsel [56-1] Irwin H Cutler Jr and J. Keith Smith for Gen Drivers; Robert Colone, Staff Atty, shall henceforth be its sole representative in this civil action. (cc: all counsel) [EOD Date: 10/1/02] (SAM) Modified on 10/01/2002 (Entered: 10/01/2002)
10/09/2002	58	NOTICE TO ATTORNEY Robert Colone By Clerk re: L.R.3- Attorney Admission procedure (SAM) (Entered: 10/09/2002)
10/15/2002	59	MOTION by plaintiff to compel answers to plf's 4th set of interogs to dft employer Shelbyville Mixing. (SAM) (Entered: 10/15/2002)
10/25/2002	60	ORDER by Judge Joseph M. Hood: Procedures re filing of briefs and memo.s of law in proceedings assigned to Judge Hood (cc: all counsel) [EOD Date:

		10/29/02] (CBD) (Entered: 10/29/2002)
11/07/2002		SUBMITTED re motion to compel [59-1] (CBD) (Entered: 11/07/2002)
11/08/2002	61	ORDER by Judge Joseph M. Hood: 1) pltf's motion (to compel) [59-1] is GRANTED 2) Shelbyville Mixing Ctr respond to the pltf's fourth set of interrogatories by 11/22/02 (cc: all counsel) [EOD Date: 11/12/02] (CBD) (Entered: 11/12/2002)
11/12/2002	62	SUGGESTION OF BANKRUPTCY by defendant Shelbyville Mixing (CBD) (Entered: 11/12/2002)
11/13/2002	63	RESPONSE by plaintiff to dft's suggestion of Bankruptcy [62-1] (SAM) (Entered: 11/14/2002)
11/13/2002	63	MOTION by plaintiff for withdrawal of the reference to Bankruptcy Court (SAM) (Entered: 11/14/2002)
11/21/2002	64	ORDER by Judge Joseph M. Hood: Hon. Robert Clone is STRICKEN as counsel for dft, International Brotherhood of YTeamsters, Local Union 89 (cc: all counsel) [EOD Date: 11/22/02] (CBD) (Entered: 11/22/2002)
12/02/2002	65	MOTION by defendant Gen Drivers, Whs for reconsideration of Order (CBD) (Entered: 12/02/2002)
12/09/2002	66	ORDER by Judge Joseph M. Hood: Robert M. Clone be reinstated as counsel of record [65-1] (cc: all counsel) [EOD Date: 12/10/02] (CBD) (Entered: 12/10/2002)
12/16/2002		SUBMITTED re motion for withdrawal of the reference to Bankruptcy Court [63-1] (CBD) (Entered: 12/16/2002)
12/17/2002	67	MEMORANDUM OPINION AND ORDER: by Judge Joseph M. Hood: 1) pltf's motion for withdrawal of the reference to Bankruptcy Court [63-1] GRANTED 2) matter WITHDRAWN from jurisdiction of Bankruptcy Ct for EDKY (cc: all counsel) [EOD Date: 12/17/02] (CBD) (Entered: 12/17/2002)
12/17/2002	68	ORDER by Judge Joseph M. Hood: Order as to procedures re filing of briefs and memos of law in proceedings assigned to Judge Hood. THIS ORDER SUPERSEDES ANY EARLIER GENERAL ORDER RE ELECTRONIC COPIES PROVIDED TO THE COURT. (cc: all counsel) [EOD Date: 12/18/02] (SAM) Modified on 12/18/2002 (Entered: 12/18/2002)
12/23/2002	69	ORDER by Judge Joseph M. Hood pretrial conference CONTINUED to 5/19/03 @ 1:00 in Fkt (cc: all counsel) [EOD Date: 12/26/02] (CBD) (Entered: 12/26/2002)
01/07/2003	70	ORDER by Judge Joseph M. Hood jury trial ADVANCED to 6/17/03 @ 9:00 in FKT (cc: all counsel) [EOD Date: 1/8/03] (CBD) (Entered: 01/08/2003)
01/16/2003	71	MOTION by plaintiff EEOC for summary judgment (CBD) (Entered: 01/16/2003)

01/16/2003	72	MEMORANDUM by plaintiff EEOC in support of motion for summary judgment [71-1] (CBD) (Entered: 01/16/2003)
01/16/2003	73	JOINT STIPULATION for dismissal w/ of dft, Union (CBD) (Entered: 01/16/2003)
01/17/2003	74	ORDER by Judge Joseph M. Hood parties EEOC and General Drivers, Warehousemen & Helpers ("Union") stipulate to dismiss action as to the Union w/ prejudice w/ each party to bear its own attys' fees, costs and expenses. (cc: all counsel) [EOD Date: 1/21/03] (CBD) (Entered: 01/21/2003)
02/05/2003		SUBMITTED re motion for summary judgment [71-1] (CBD) Modified on 02/05/2003 (Entered: 02/05/2003)
02/05/2003	75	ORDER by Judge Joseph M. Hood: 1) pltf's mtn [71-1] is GRANTED 2) sum jgm is AWARDED to pltf EEOC against Shelbyville Mixing Ctr in the amt of \$750,000.00 in compensatory damages which will be divided among the class of women who applied for the loader/unloader positions during the relevant time period terminating case (cc: all counsel) [EOD Date: 2/10/03] (CBD) (Entered: 02/10/2003)
02/05/2003	76	JUDGMENT: by Judge Joseph M. Hood: 1) sum jgm ENTERED in favor of pltf EEOC against dft, Shelbyville Mixing in amt of \$750,000.00 which shall be divided equally among the class 2) action is STRICKEN FROM THE DOCKET (cc: all counsel) [EOD Date 2/10/03] (CBD) (Entered: 02/10/2003)
02/18/2003	77	MOTION by defendant Shelbyville Mixing for new trial (CBD) (Entered: 02/19/2003)
02/18/2003	78	NOTICE TO ATTORNEY Eric A. Liepins By Clerk re: L.R.3- Attorney Admission procedure (CBD) (Entered: 02/19/2003)
02/18/2003	79	MAIL Returned [67-1], [68-1] addressed to defendant Shelbyville Mixing through CT Corp. (their services for Shelbyville Mixing were discontinued) (CBD) (Entered: 02/19/2003)
02/27/2003	80	OPPOSITION by plaintiff EEOC to dft's motion for new trial [77-1] (CBD) (Entered: 03/03/2003)
02/27/2003	81	AFFIDAVIT of Barbara A. Seely re [80-1] in support of EEOC's opposition to dft's motion for new trial (CBD) (Entered: 03/03/2003)
03/20/2003	82	MEMORANDUM OPINION AND ORDER - DENYING [77] Motion for Hearing . Signed by Judge Joseph M. Hood. (cc: all counsel) (SAM) -- Modified on 3/21/2003 by:(SAM). -- Modified on 3/21/2003 by:(SAM). (Entered: 03/21/2003)
10/05/2004	83	NOTICE OF DEPOSITION DESTRUCTION (cc: all counsel) (CBD) (Entered: 10/05/2004)
10/27/2004	84	CERTIFICATE OF DEPOSITION DESTRUCTION re [50] Deposition, [51]

Deposition, [52] Deposition. (CBD) (Entered: 10/27/2004)
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Transaction Receipt

07/19/2007 14:28:31

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Description:	Docket Report	Search Criteria:	3:00-cv-00066-JMH
Billable Pages:	6	Cost:	0.48