

**U.S. District Court
Western District of Kentucky (Louisville)
CIVIL DOCKET FOR CASE #: 3:01-cv-00699-TBR-JDM**

Wade, et al v. Kroger Company, et al
Assigned to: Judge Thomas B. Russell
Referred to: Magistrate Judge James D. Moyer
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 11/29/2001
Date Terminated: 11/21/2008
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Ron Wade

*on behalf of themselves and all other
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ATTORNEY TO BE NOTICED

Amanda H. Wright
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dorothy E. Young
(See above for address)
TERMINATED: 11/21/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn Mrkonich-Wilson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kroger Texas L.P.

Date Filed	#	Docket Text
01/02/2001	5	NOTICE to Shanthi V. Gaur; 12 days to request permission to practice in a particular case (SDB) (Entered: 01/03/2002)
01/02/2001	6	NOTICE to Adam C. Wit; 12 days to request permission to practice in a particular case (SDB) (Entered: 01/03/2002)
01/02/2001	7	NOTICE to Margaret Parnell Hogan; 12 days to request permission to practice in a particular case (SDB) (Entered: 01/03/2002)

11/29/2001	1	COMPLAINT filed; summons issued; filing fee pd – receipt # 106073 (SDB) (Entered: 11/30/2001)
11/29/2001		MAGISTRATE JUDGE DESIGNATION: CCG (SDB) (Entered: 11/30/2001)
12/20/2001		REMARK: "Stipulation for Extension of Time" to 1/21/02 for dft to answer cmp tendered; submitted to Judge Russell (SDB) (Entered: 12/20/2001)
12/28/2001	2	ANSWER by defendant Kroger Company to [1-1] (SDB) (Entered: 12/28/2001)
01/02/2002	3	STIPULATION for extension of time by Judge Thomas B. Russell; pla allows dft to 1/21/02 to answer cmp (SDB) (Entered: 01/02/2002)
01/03/2002	4	NOTICE to Keith C. Hult: 12 days to request permission to practice in a particular case (SDB) (Entered: 01/03/2002)
01/15/2002	8	MOTION by defendant Kroger Company for attorney Keith C. Hult, Shanthi V. Gaur, Adam C. Wit and Margaret Parnell Hogan of Littler Mendelson PC to appear pro hac vice, receipt #3012106 ; memoranda in support; order tendered (SDB) (Entered: 01/16/2002)
01/22/2002	9	ORDER by Judge Thomas B. Russell; granting motion for attorney Keith C. Hult, Shanthi V. Gaur, Adam C. Wit and Margaret Parnell Hogan of Littler Mendelson PC to appear pro hac vice, receipt #3012106 [8-1] (cc: all counsel) [Entry Date: 1/22/02] (SDB) (Entered: 01/22/2002)
01/24/2002	10	ORDER by Judge Thomas B. Russell ; Rule 16 tele scheduling conf. set for 10:00 3/1/02 before Judge Thomas B. Russell; ct will initiate the call (cc: all counsel) [Entry Date: 1/24/02] (JSS) (Entered: 01/24/2002)
02/01/2002	11	ORDER by Judge Thomas B. Russell ; telephonic conf. rescheduled for 10:15 3/4/02 before Judge Thomas B. Russell (cc: all counsel) [Entry Date: 2/1/02] (PAC) (Entered: 02/01/2002)
02/27/2002	12	MOTION by defendant Kroger Company for attorney Lynne Gellenbeck to appear pro hac vice, receipt #3012153 ; Memorandum in Support; order tendered (SDB) (Entered: 02/28/2002)
02/28/2002		DOCUMENT NUMBER: 12 SUBMITTED to Judge Russell (SDB) (Entered: 02/28/2002)
03/01/2002	13	STATEMENT OF POSITION AND PROPOSED LITIGATION PLAN by plaintiff Ron Wade, plaintiff Cary Owsley, plaintiff Vincent Mangruem, plaintiff Felicia Hawkins, plaintiff Michael Elliott re [11-2], re [10-2] (SDB) (Entered: 03/04/2002)
03/04/2002	14	MOTION by plaintiffs for attorney David W. Sanford and Eric K. Bachman of Gordon, Silberman, Wiggins & Childs, PC to appear pro hac vice, receipts #319842 and 319844 ; affidavits in support; order tendered (SDB) (Entered: 03/05/2002)
03/05/2002		DOCUMENT NUMBER: 14 SUBMITTED to Judge Russell (SDB) (Entered: 03/05/2002)
03/06/2002	15	ORDER by Judge Thomas B. Russell ; telephone conf. set for 9:45 3/19/02 before Judge Thomas B. Russell . Court shall initiate call. (cc: all counsel) [Entry Date: 3/6/02] (PAC) (Entered: 03/06/2002)
03/08/2002	16	ORDER by Judge Thomas B. Russell granting motion for attorney Lynne Gellenbeck to appear pro hac vice, receipt #3012153

		[12-1] (cc: all counsel) [Entry Date: 3/8/02] (SDB) (Entered: 03/08/2002)
03/08/2002	17	ORDER by Judge Thomas B. Russell granting motion for attorney David W. Sanford and Eric K. Bachman of Gordon, Silberman, Wiggins & Childs, PC to appear pro hac vice, receipts #319842 and 319844 [14-1] (cc: all counsel) [Entry Date: 3/8/02] (SDB) (Entered: 03/08/2002)
03/13/2002	18	MOTION by plaintiffs for leave to file amd cmp ; Memo in Support; order tendered; amd cmp tendered (SDB) Modified on 03/19/2002 (Entered: 03/13/2002)
03/13/2002	19	NOTICE OF DEFICIENCY: submit proposed order for DN 18; failure to comply will be brought to the attention of the Court; response to notice of deficiency due 3/18/02 (cc: David Sanford) (SDB) (Entered: 03/13/2002)
03/13/2002	20	MOTION by plaintiffs for attorneys Joseph M. Sellers and Suzette Marie Malveaux to appear pro hac vice, receipt #319896 ; affidavits in Support; order tendered (SDB) (Entered: 03/14/2002)
03/13/2002	21	MOTION for attorney Bruce B. Whitman to appear pro hac vice for plaintiffs Kim Brewer, Gwendolyn Barker and Thomas Brame, receipt #319893 ; affidavit in Support (SDB) (Entered: 03/14/2002)
03/13/2002	22	NOTICE OF DEFICIENCY: submit proposed order for DN 21; failure to comply will be brought to the attention of the Court; response to notice of deficiency due 3/18/02 (cc: Bruce B. Whitman) (SDB) (Entered: 03/14/2002)
03/14/2002	23	MOTION by plaintiffs for attorneys Robert F. Childs and Grant E. Morris to appear pro hac vice, receipt #14570 and 14571 ; affidavits in support (SDB) (Entered: 03/19/2002)
03/14/2002	24	NOTICE OF DEFICIENCY: submit proposed order for DN 23; failure to comply will be brought to the attention of the Court; response to notice of deficiency due 3/19/02 (cc: David Sanford) (SDB) (Entered: 03/19/2002)
03/18/2002		RESPONSE TO NOTICE OF DEFICIENCY by plaintiffs; Order submitted (MLG) (Entered: 03/18/2002)
03/18/2002		RESPONSE TO NOTICE OF DEFICIENCY, order tendered for DN 18 (TLB) (Entered: 03/19/2002)
03/19/2002		DOCUMENT NUMBER: 21 SUBMITTED to Judge Russell (SDB) (Entered: 03/19/2002)
03/19/2002		FILE SUBMITTED to Judge Russell's Chambers (SDB) (Entered: 03/19/2002)
03/20/2002	25	ORDER by Judge Thomas B. Russell; granting motion for attorneys Joseph M. Sellers and Suzette Marie Malveaux to appear pro hac vice, receipt #319896 [20-1] (cc: all counsel) [Entry Date: 3/20/02] (SDB) (Entered: 03/20/2002)
03/21/2002	26	ORDER by Judge Thomas B. Russell ; tele conf held on 3/19/02; parties shall file proposed schedules and reasons in support by 3/25/02; tele conf set for 11:00 4/1/02 before Judge Thomas B. Russell ; ct shall initiate call (cc: all counsel) [Entry Date: 3/21/02] (SDB) (Entered: 03/21/2002)
03/21/2002		RESPONSE TO NOTICE OF DEFICIENCY by plaintiffs; order submitted w/DN 23 (MLG) (Entered: 03/22/2002)
03/21/2002	27	MOTION by plaintiff for attorney Rocco Calamusa, Jr. to appear pro hac vice (fee pd #319925) ; order tendered (MLG) (Entered: 03/21/2002)

		03/22/2002)
03/25/2002	28	RESPONSE/revised statement of position and proposed scheduling order by plaintiffs as to [26-2] (SDB) (Entered: 03/25/2002)
03/25/2002	29	AMENDED STATEMENT OF Position and Proposed Discovery Schedule by defendant Kroger Company to [26-2] (MLG) (Entered: 03/26/2002)
03/28/2002	30	ORDER by Judge Thomas B. Russell; granting plaintiffs' motion for attorney Rocco Calamusa Jr to appear pro hac vice [27-1] (cc: all counsel) [Entry Date: 3/28/02] (SDB) (Entered: 03/28/2002)
04/03/2002	31	ORDER by Judge Thomas B. Russell granting motion for attorney Bruce B. Whitman to appear pro hac vice for plaintiffs Kim Brewer, Gwendolyn Barker and Thomas Brame, receipt #319893 [21-1] (cc: all counsel) [Entry Date: 4/3/02] (SDB) (Entered: 04/03/2002)
04/03/2002	32	ORDER by Judge Thomas B. Russell granting motion for attorneys Robert F. Childs and Grant E. Morris to appear pro hac vice, receipt #14570 and 14571 [23-1] (cc: all counsel) [Entry Date: 4/3/02] (SDB) Modified on 04/03/2002 (Entered: 04/03/2002)
04/04/2002	33	SUPPLEMENT by plaintiffs re response [28-1] (SDB) (Entered: 04/04/2002)
04/04/2002	34	ORDER by Judge Thomas B. Russell ; telephone conference on 4/5/02 is VACATED; telephone conf. set for 9:30 a.m. on 4/18/02 before Judge Thomas B. Russell ; dfts are given until 4/8/02 to file a suppl position and proposed scheduling order and resp to plas' last submission (cc: all counsel) [Entry Date: 4/4/02] (KJI) (Entered: 04/04/2002)
04/09/2002	35	RESPONSE by defendant Kroger Company to [33-1] (SDB) (Entered: 04/10/2002)
04/22/2002	36	ORDER by Judge Thomas B. Russell ; telephone conference held on 4/18/02; additional telephone conf set for 9:45 5/3/02 before Judge Thomas B. Russell ; ct will arrange call (cc: all counsel) [Entry Date: 4/22/02] (SDB) (Entered: 04/22/2002)
04/26/2002	37	MOTION by plaintiffs for leave to file proposed compromise discovery plan and correction to dft's characterization of Watkins v Kroger Company ; Memorandum in Support; order tendered (SDB) (Entered: 04/26/2002)
05/03/2002	38	MEMORANDUM OPINION by Judge Thomas B. Russell: re [28-1], re [29-1]; order to be entered (cc: all counsel) [Entry Date: 5/3/02] {2889} (KJI) (Entered: 05/03/2002)
05/06/2002		FILE RETURNED (SDB) (Entered: 05/06/2002)
05/07/2002	39	SCHEDULING ORDER by Judge Thomas B. Russell; tele conf held on 5/3/02; following deadlines apply to class certification issue only; amendments set for 8/1/02; discovery set for 3/1/03; case referred to Magistrate Judge James D. Moyer ; tele conf set for 7/1/02 at 10:00 a.m. EDT, 9/6/02 at 9:30 a.m.EDT; 12/6/02 at 9:30 a.m. EST; 3/7/03 at 9:30 a.m. EST parties to comply with remainder of order as set forth (cc: all counsel, USMJ Moyer) [Entry Date: 5/7/02] (SDB) (Entered: 05/07/2002)
05/08/2002		BEGIN VOLUME # 2 (SDB) (Entered: 05/08/2002)
05/28/2002		FILE SUBMITTED to Judge Russell's Chambers (SDB) (Entered: 05/28/2002)

06/06/2002		FILE RETURNED (SDB) (Entered: 06/06/2002)
06/06/2002	40	ORDER by Judge Thomas B. Russell; granting motion for leave to file amd cmp [18-1] (cc: all counsel) [Entry Date: 6/6/02] (SDB) (Entered: 06/06/2002)
06/06/2002	41	AMENDED COMPLAINT [1-1] by plaintiffs Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins and Michael Elliott; adding Kim Brewer, Gwendolyn Barker, Thomas Brame, Julie Long, Elnora Mays-Jones, Dwight Cummings and Ronald Clayton as additional plaintiffs and Kroger Ltd Prt I, Kroger General Partn and Kroger Texas LP as additional defendants; jury demand (SDB) (Entered: 06/06/2002)
06/27/2002		RETURN OF SERVICE executed upon defendant Kroger Texas LP (SDB) (Entered: 06/27/2002)
06/27/2002		RETURN OF SERVICE executed upon defendant Kroger Company on 6/20/02 (SDB) (Entered: 06/27/2002)
06/28/2002		RETURN OF SERVICE executed upon defendant Kroger Ltd Prt I on 6/21/02 (SDB) (Entered: 06/28/2002)
07/03/2002	42	ANSWER by dfts Kroger Company, Kroger Ltd Prt I, Kroger General Partn, Kroger Texas LP to [41-1]; jury demand (SDB) (Entered: 07/03/2002)
07/03/2002	43	MOTION by dfts Kroger Company, Kroger Ltd Prt I, Kroger General Partn, Kroger Texas LP to dismiss case (pla has additional 30 days to respond per DN 45) ; memorandum in support; order tendered (SDB) Modified on 07/24/2002 (Entered: 07/03/2002)
07/09/2002	44	MOTION by defendant Kroger Texas LP to dismiss (pla has an additional 45 days to respond per DN 48) ; Memorandum in Support; order tendered (JSS) Modified on 09/20/2002 (Entered: 07/10/2002)
07/22/2002		REMARK: Agreed order tendered allowing plaintiffs an additional 30 days to respond to dfts' motions to dismiss; submitted to Judge Russell (SDB) (Entered: 07/22/2002)
07/24/2002	45	AGREED ORDER by Judge Thomas B. Russell; plaintiffs have an additional 30 days to respond to dfts' motions to dismiss (cc: all counsel) [Entry Date: 7/24/02] (SDB) (Entered: 07/24/2002)
08/01/2002	46	MOTION by plaintiffs to extend time an additional 15 days to file a motion for leave to amd cmp ; Memorandum in Support; order tendered (SDB) (Entered: 08/02/2002)
08/06/2002	47	RESPONSE by defendant Kroger General Partn, defendant Kroger Ltd Prt I to motion to extend time an additional 15 days to file a motion for leave to amd cmp [46-1] (SDB) (Entered: 08/07/2002)
08/15/2002	48	ORDER by Judge Thomas B. Russell granting motion to extend time an additional 15 days to file a motion for leave to amd cmp [46-1] (cc: all counsel) [Entry Date: 8/15/02] (PAC) (Entered: 08/15/2002)
08/15/2002		BEGIN VOLUME # 3 with DN 49 (SDB) (Entered: 08/21/2002)
08/16/2002	49	MOTION for leave to file amd cmp ; order tendered; second amd cmp attached (SDB) (Entered: 08/16/2002)
08/21/2002	50	PLAINTIFFS' RESPONSE to motion to dismiss (pla has an additional 30 days to respond per DN 45) [44-1], to motion to dismiss case has additional 30 days to respond per DN 45) [43-1]; order tendered (SDB) (Entered: 08/22/2002)

08/26/2002	51	RESPONSE to motion to dismiss case (pla has additional 30 days to respond per DN 45) [43-1]; order tendered (SDB) (Entered: 08/27/2002)
09/04/2002		FILE SUBMITTED to Judge Russell's Chambers (SDB) (Entered: 09/04/2002)
09/09/2002	52	REPLY by defendant Kroger Texas LP to response to motion to dismiss (pla has an additional 45 days to respond per DN 48) [44-1] (SDB) Modified on 09/20/2002 (Entered: 09/10/2002)
09/11/2002	53	REPLY by Kroger General Partn, Kroger Ltd Prt I, Kroger Company to response to motion to dismiss case (pla has additional 45 days to respond per DN 48) [43-1] (SDB) Modified on 09/20/2002 (Entered: 09/12/2002)
11/27/2002	54	ORDER by Judge Thomas B. Russell ; telephone conference previously set for 12/6/02 is reset for 4:00 12/20/02 before Judge Thomas B. Russell ; ct shall place call (cc: all counsel) [Entry Date: 11/27/02] (SDB) (Entered: 11/27/2002)
12/02/2002	55	MOTION by plaintiff to extend expert designation deadline ; order tendered (SDB) (Entered: 12/03/2002)
12/12/2002	56	RESPONSE by defendant Kroger General Partn, defendant Kroger Ltd Prt I to motion to extend expert designation deadline [55-1] (SDB) (Entered: 12/13/2002)
12/20/2002	57	REPLY by plaintiffs to response to motion to extend expert designation deadline [55-1] (SDB) (Entered: 12/20/2002)
12/24/2002	58	SCHEDULING ORDER by Judge Thomas B. Russell ; telephone conf. set for 11:00 1/17/03 before Judge Thomas B. Russell (cc: all counsel) [Entry Date: 12/24/02] (PAC) (Entered: 12/24/2002)
01/23/2003	59	ORDER by Judge Thomas B. Russell ; telephone conference held on 1/17/03; telephone conf. set for 9:45 1/31/03 before Judge Thomas B. Russell, Ct will arrange the call (cc: all counsel) [Entry Date: 1/23/03] (MLG) (Entered: 01/23/2003)
01/23/2003	60	ORDER by Judge Thomas B. Russell re [44-1], plaintiffs are granted 2 months from entry of this order to conduct discovery re:jurisdictional issues raised in Kroger Texas's motion to dismiss; plaintiffs resp to motion shall be due 20 days thereafter (cc: all counsel) [Entry Date: 1/23/03] (MLG) (Entered: 01/23/2003)
01/23/2003	61	ORDER by Judge Thomas B. Russell granting pla motion for leave to file amd cmp [49-1] (cc: all counsel) [Entry Date: 1/23/03] (MLG) (Entered: 01/23/2003)
01/23/2003	62	SECOND AMENDED COMPLAINT by plaintiffs; jury demand (MLG) (Entered: 01/23/2003)
01/30/2003	63	ORDER by Judge Thomas B. Russell ; telephonic status conference previously set for 1/31/03 is reset for 10:30 2/14/03 before Judge Thomas B. Russell (cc: all counsel, via facsimile) [Entry Date: 1/30/03] (SDB) (Entered: 01/30/2003)
02/18/2003	64	ORDER by Judge Thomas B. Russell ; telephone conference held on 2/14/03 . Amended cmp filed; all discovery referred to USMJ James D. Moyer; Parties shall submit agreed scheduling order prior to first meeting (cc: all counsel) [Entry Date: 2/18/03] (PAC) (Entered: 02/18/2003)
02/28/2003	65	ANSWER by defendant to second amd cmp [62-1]; jury demand (SDB) (Entered: 03/03/2003)
03/03/2003	66	MOTION by plaintiff to compel compliance with the court's 5/3/02 order re class-wide discovery ; Memorandum in Support;

		order tendered (SDB) (Entered: 03/03/2003)
03/07/2003	67	ORDER by Magistrate Judge James D. Moyer ; telephonic status conf. set for 4:00 3/12/03 before Magistrate Judge James D. Moyer (cc: all counsel) [Entry Date: 3/7/03] (PAC) (Entered: 03/07/2003)
03/11/2003		FILE SUBMITTED to JDM (KDN) (Entered: 03/11/2003)
03/11/2003	68	STATUS REPORT by plaintiff (SDB) (Entered: 03/12/2003)
03/19/2003	69	MEMORANDUM OPINION AND ORDER by Judge Thomas B. Russell; denying motion to dismiss case [43-1] for the reasons set forth (cc: all counsel) [Entry Date: 3/19/03] (SDB) (Entered: 03/19/2003)
03/20/2003	70	MOTION by defendants Kroger General Partn, Kroger Ltd Prt I, Kroger Company for attorney Allan G. King to appear pro hac vice, receipt #3013052 affidavit in support; certif of good standing; order tendered (SDB) (Entered: 03/20/2003)
03/20/2003	71	NOTICE OF DEFICIENCY: Type of Deficiency: written consent to be subject of jurisdictional rules; failure to comply will be brought to the attention of the Court; response to notice of deficiency due 3/25/03 (cc: John L. Tate) (SDB) (Entered: 03/20/2003)
03/24/2003		AFFIDAVIT/RESPONSE TO NOTICE OF DEFICIENCY by Allan G. King in support of his motion for admission pro hac vice (SDB) (Entered: 03/25/2003)
03/25/2003	72	ORDER by Magistrate Judge James D. Moyer ; tele conf held on 3/18/03; in-court hearing set for 10:30 3/31/03 before Magistrate Judge James D. Moyer ; cnsl to comply as set forth (cc: all counsel, via facsimile) [Entry Date: 3/25/03] (SDB) (Entered: 03/25/2003)
04/04/2003	73	MOTION by defendants Kroger Company and Kroger Ltd Prt I for attorneys Kathryn Mrkonich-Wilson, Amanda Helm Wright and Dorothy Young of Littler Mendelson to appear pro hac vice, receipt #321216 ; affidavits in support; order tendered (SDB) (Entered: 04/07/2003)
04/11/2003	74	NOTICE by plaintiff of withdrawal of appearance of Suzette M. Malveaux as cnsl (SDB) (Entered: 04/11/2003)
04/22/2003	75	MEMORANDUM in support of their proposed protective order by dfts Kroger Company, Kroger General Partners, Kroger Ltd Prt I (SDB) (Entered: 04/22/2003)
05/01/2003	76	ORDER by Magistrate Judge James D. Moyer ; tele status conf set for 12:00 5/9/03 before Magistrate Judge James D. Moyer ; plaintiff's cnsl will initiate call (cc: all counsel) [Entry Date: 5/1/03] (SDB) (Entered: 05/01/2003)
05/09/2003	77	ORDER by Magistrate Judge James D. Moyer; setting forth Ct's rulings with respect to protective order issues (cc: all counsel via facsimile) [Entry Date: 5/9/03] (SDB) (Entered: 05/09/2003)
05/09/2003	78	ORDER by Magistrate Judge James D. Moyer ; tele conf held on 5/9/03; tele conf set for 2:00 5/16/03 before Magistrate Judge James D. Moyer ; John Tate, cnsl for dft Kroger, will arrange call; production of certain documents will be discussed at that time, if cnsl are unable to agree prior to that time on what documents are to be produced and on what schedule (cc: all counsel) [Entry Date: 5/9/03] (SDB) (Entered: 05/09/2003)

05/27/2003		REMARK: Agreed protective order tendered; submitted to USMJ Moyer (SDB) (Entered: 05/27/2003)
05/29/2003	79	AGREED PROTECTIVE ORDER by Magistrate Judge James D. Moyer; parties to comply as set forth in order (cc: all counsel) [Entry Date: 5/29/03] (TLB) (Entered: 05/29/2003)
05/30/2003	80	ORDER by Judge Thomas B. Russell; granting motion for attorneys Kathryn Mrkonich-Wilson, Amanda Helm Wright and Dorothy Young of Littler Mendelson to appear pro hac vice, receipt #321216 [73-1] (cc: all counsel) [Entry Date: 5/30/03] (SDB) (Entered: 05/30/2003)
05/30/2003	81	ORDER by Judge Thomas B. Russell; granting motion for attorney Allan G. King to appear pro hac vice, receipt #3013052 [70-1] (cc: all counsel) [Entry Date: 5/30/03] (SDB) (Entered: 05/30/2003)
06/12/2003	82	MOTION by plaintiff for attorney Julie Goldsmith to appear pro hac vice (receipt # 107355) ; Affidavit in Support; order tendered (PAC) (Entered: 06/13/2003)
06/19/2003	83	ORDER by Magistrate Judge James D. Moyer ; telephone status conference held on 6/18/03 , ;further telephone conf. set for 11:00 7/9/03 before Magistrate Judge James D. Moyer (cc: all counsel) [Entry Date: 6/19/03] (PAC) (Entered: 06/19/2003)
06/24/2003	84	ORDER by Judge Thomas B. Russell; granting motion for attorney Julie Goldsmith to appear pro hac vice (receipt # 107355) [82-1] (cc: all counsel) [Entry Date: 6/24/03] (SDB) (Entered: 06/24/2003)
07/11/2003	85	ORDER by Magistrate Judge James D. Moyer ; tele conf held on 7/9/03; tele conf set for 3:00 7/31/03 before Magistrate Judge James D. Moyer ; Mr. Sellers' office will coordinate and initiate the call (cc: all counsel) [Entry Date: 7/11/03] (SDB) (Entered: 07/11/2003)
07/31/2003	86	MOTION by plaintiff for attorney Jenny R. Yang to appear pro hac vice, receipt #300321603 ; affidavit in support; order tendered (SDB) Modified on 08/01/2003 (Entered: 07/31/2003)
08/01/2003	87	ORDER by Magistrate Judge James D. Moyer ; tele conf held on 7/31/03; parties will continue to work to resolve issue of certain documents and persons identified in parties' Rule 26 disclosures being subject to further discovery; and parties requested a briefing schedule for issue of certain information relating to Texas LP --- discoverable?; parties to comply as set forth; tele conf set for 11:00 9/8/03 before Magistrate Judge James D. Moyer ; remanding the motion to compel compliance with the court's 5/3/02 order re class-wide discovery [66-1] as moot (cc: all counsel) [Entry Date: 8/1/03] (SDB) (Entered: 08/01/2003)
08/11/2003	<u>88</u>	MOTION to Compel discovery re Kroger Texas L.P. jurisdictional issues by plaintiffs. Responses due by 8/29/2003 (Attachments: # <u>1</u> Exhibit 1-4; # <u>2</u> Exhibit 5; # <u>3</u> Exhibit 6; # <u>4</u> Exhibit 7; # <u>5</u> Exhibit 8; # <u>6</u> Proposed Order)(SDB) (Entered: 08/11/2003)
08/13/2003	<u>89</u>	ORDER by Judge Thomas B. Russell on 8/11/03; granting 86 Motion to Appear Pro Hac Vice as to Jenny R. Yang of Cohen, Milstein, Hausfeld & Toll, PLLC for plaintiffs (SDB) (Entered: 08/13/2003)
08/18/2003	<u>90</u>	RESPONSE to Motion to compel discovery <u>88</u> by Kroger Texas L.P.. (Attachments: # <u>1</u> Exhibit 1; # <u>2</u> Exhibit 2; # <u>3</u> Exhibit 3; # <u>4</u> Exhibit 4) (Exhibits 2, 3 and 4 are filed under seal in vault)(SDB) (Entered: 08/19/2003)

08/18/2003	<u>91</u>	NOTICE of Deficiency re <u>90</u> Response to Motion: submit proposed order for DN 90; failure to comply will be brought to the attention of the Court. Response due by 8/26/2003. (SDB) (Entered: 08/19/2003)
08/19/2003	<u>92</u>	Response to <u>91</u> Notice of Deficiency by Kroger Texas L.P. (SDB) (Entered: 08/20/2003)
08/22/2003	<u>93</u>	RESPONSE to <u>88</u> motion to compel concerning jurisdictional issues by Plaintiffs (Attachments: # <u>1</u> Exhibit Sealed in vault)(TAC) (Entered: 08/23/2003)
09/08/2003	<u>94</u>	ORDER by Magistrate Judge James D. Moyer on 9/5/03; Telephonic Conference previously set for 9/8/03 is reset for 9/17/2003 04:00 PM before Magistrate Judge James D. Moyer. Mr. Hult's office will coordinate and initiate call.(SDB) (Entered: 09/08/2003)
09/15/2003	<u>95</u>	MOTION for Ann K. Wiggins to Appear Pro Hac Vice by parties. Responses due by 10/3/2003 (Attachments: #(1) Affidavit of Ann K. Wiggins #(2) Certificate of Good Standing); fee paid #107584 (MLG) Additional attachment(s) added on 9/19/2003 (MLG). (Entered: 09/16/2003)
09/15/2003	<u>96</u>	NOTICE of Deficiency re <u>95</u> Motion to Appear Pro Hac Vice; no proposed order attached; failure to comply will be brought to the attention of the Court. Response due by 9/22/2003. (MLG) (Entered: 09/16/2003)
09/18/2003	<u>97</u>	Response to <u>96</u> Notice of Deficiency; proposed order submitted w/DN 95 . (MLG) (Entered: 09/19/2003)
09/19/2003	<u>98</u>	ORDER for proceedings held before Magistrate Judge James D. Moyer : Telephonic Status Conference held on 9/17/2003, Telephonic Motion Hearing set for 10/20/2003 03:30 PM before Magistrate Judge James D. Moyer. Mr. Seller's office will coordinate the conference call. Docket No. 88 Motion was terminated. (SJS) (Entered: 09/19/2003)
09/19/2003	<u>99</u>	NOTICE of Change of Address by Bruce B. Whitman atty for plaintiffs (MLG) (Entered: 09/19/2003)
10/03/2003	<u>100</u>	MOTION by plaintiffs to compel Kroger to respond fully and completely to request for production of documents and second set of interrogatories. Exhibits A–N too large to scan. (Filed in separate expandable folder.) Responses due by 10/21/2003. (SDB) (Entered: 10/03/2003)
10/03/2003	<u>101</u>	NOTICE of Deficiency re <u>100</u> Motion to Compel; submit proposed order: failure to comply will be brought to the attention of the Court. Response due by 10/10/2003. (SDB) (Entered: 10/03/2003)
10/06/2003	<u>102</u>	MOTION to Compel by Kroger General Partnership, Inc. ; Kroger Limited Partnership I. Responses due by 10/24/2003. (Attachments: # <u>1</u> Memorandum in Support; # <u>2</u> Exhibits 1–11 (not scanned); # <u>3</u> Proposed Order)(SDB) (Entered: 10/06/2003)
10/07/2003	<u>103</u>	Response (Proposed Order) to <u>101</u> Notice of Deficiency by Ron Wade. (SJS) (Entered: 10/08/2003)
10/10/2003	<u>104</u>	ORDER by Thomas B. Russell on 10/6/03; granting <u>95</u> Motion to Appear Pro Hac Vice. (SDB) (Entered: 10/10/2003)
10/10/2003	<u>107</u>	PLAINTIFF'S OPPOSITION TO KROGERS MOTION TO COMPEL by Gwendolyn Barker, Thomas Brame, Kim Brewer, Ronald Clayton, Dwight Cummings, Michael Elliott, Felicia Hawkins, Julie Long, Vincent Mangruem, Elnora Mays–Jones, Cary Owsley, Ron Wade. (Attachments: # <u>1</u> Exhibit 1)(SJS)

		(Entered: 10/14/2003)
10/14/2003	<u>105</u>	DEFENDANTS MEMORANDUM IN OPPOSITION PLAINTIFFS' Motion to Compel by Kroger Company. (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)(SJS) Additional attachment(s) added on 10/16/2003 (CD). (Entered: 10/14/2003)
10/14/2003	<u>106</u>	NOTICE of Deficiency re Response to Motion: failure to comply will be brought to the attention of the Court. Response due by 10/19/2003. (SJS) (Entered: 10/14/2003)
10/15/2003	<u>108</u>	Response to <u>106</u> Notice of Deficiency; submitted proposed order. (SDB) (Entered: 10/16/2003)
10/21/2003	<u>109</u>	ORDER by James D. Moyer on 10/20/03; Telephone Conference set for 10/22/2003 02:00 PM in Chambers before Magistrate Judge James D. Moyer. Mr. Seller's office will coordinate the conference call.(SJS) (Entered: 10/21/2003)
10/22/2003		Proceedings held before James D. Moyer : Motion Hearing held on 10/22/2003 re <u>100</u> MOTION to Compel filed by Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame, Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, <u>102</u> MOTION to Compel filed by Kroger Limited Partnership I, Kroger General Partnership, Inc. (SDB) (Entered: 10/24/2003)
10/24/2003	<u>110</u>	ORDER by James D. Moyer on 10/22/03; re <u>100</u> MOTION to Compel filed by Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame, Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, <u>102</u> MOTION to Compel filed by Kroger Limited Partnership I, Kroger General Partnership, Inc.; tele conf held 10/22/03; telephonic Motion Hearing set for 11/3/2003 10:00 AM before Magistrate Judge James D. Moyer; Mr. Hult's office will coordinate conf call.(SDB) (Entered: 10/24/2003)
11/10/2003	<u>111</u>	ORDER for proceedings held before James D. Moyer : Telephone Conference held on 11/3/2003. Discovery Hearing set for 12/1/2003 12:30 PM in Courtroom before Magistrate Judge James D. Moyer. (SJS) (Entered: 11/10/2003)
11/21/2003	<u>112</u>	ORDER by James D. Moyer on 11/21/03 setting forth agenda for in-person meeting scheduled for 12/1/03 by previous order.(SDB) (Entered: 11/21/2003)
11/26/2003	<u>113</u>	PLAINTIFF'S OUTLINE OF PROPOSED CLASS CERTIFICATION DISCOVERY TOPICS AND TIME LINE by Gwendolyn Barker ; Thomas Brame ; Kim Brewer ; Ronald Clayton ; Dwight Cummings ; Michael Elliott ; Felicia Hawkins ; Julie Long ; Vincent Mangruem ; Elnora Mays-Jones ; Cary Owsley ; Ron Wade. (SJS) (Entered: 11/26/2003)
12/05/2003	<u>114</u>	ORDER for proceedings held before James D. Moyer : Telephone Conference held on 12/5/2003. Status telephonic report shall be held on 12/15/2003 (TAC) (Entered: 12/05/2003)
12/09/2003	<u>115</u>	MOTION for Robert Wiggins to Appear Pro Hac Vice by Michael Elliott ; Felicia Hawkins ; Vincent Mangruem ; Cary Owsley ; Ron Wade. Responses due by 12/29/2003 (Attachments: # <u>1</u> Affidavit # <u>2</u> Proposed Order)(SJS) (Entered: 12/10/2003)
12/15/2003	<u>116</u>	ORDER for proceedings held before James D. Moyer : Telephone Conference held on 12/5/2003. Telephonic Status Conference set for 2/24/2004 02:30 PM before Magistrate Judge James D.

		Moyer. Defendants' shall provide plaintiffs with their requested store identification data, at defendants' cost on or before 1/19/04. (SJS) (Entered: 12/15/2003)
12/19/2003	<u>117</u>	ORDER by Thomas B. Russell on 12/17/03; re <u>115</u> MOTION for Robert Wiggins to Appear Pro Hac Vice filed by Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott.(SJS) (Entered: 12/19/2003)
01/13/2004	<u>118</u>	ORDER by James D. Moyer on 1/12/04; re <u>116</u> Telephone Conference. Telephonic Status Conference previously set for 2/24/04 has been rescheduled for a Telephonic Status Conference set for 2/25/2004 02:30 PM before Magistrate Judge James D. Moyer.(SJS) (Entered: 01/13/2004)
02/27/2004	<u>119</u>	ORDER for proceedings held before James D. Moyer : Status Conference held on 2/25/2004; Telephonic Status Conference set for 3/31/2004 02:30 PM before Magistrate Judge James D. Moyer; Ct will initiate call; joint status report due 3/24/04; Telephonic Status Conference set for 4/27/2004 10:30 AM before Magistrate Judge James D. Moyer; Ct will arrange call; status report due 4/20/04; parties to comply with remainder of order. (SDB) (Entered: 02/27/2004)
03/23/2004	<u>120</u>	ORDER by James D. Moyer on 3/23/04; Telephonic Conference previously set for 3/31/04 is reset for 4/6/2004 02:30 PM before Magistrate Judge James D. Moyer; Ct will initiate call.(SDB) (Entered: 03/23/2004)
03/24/2004	<u>121</u>	JOINT STATUS REPORT by Gwendolyn Barker ; Thomas Brame ; Kim Brewer ; Ronald Clayton ; Dwight Cummings ; Michael Elliott ; Felicia Hawkins ; Kroger Company ; Kroger General Partnership, Inc. ; Kroger Limited Partnership I ; Kroger Texas L.P. ; Julie Long ; Vincent Mangruem. (SJS) (Entered: 03/25/2004)
04/07/2004	<u>122</u>	ORDER by James D. Moyer on 4/7/04; Messrs. Sellers and Hult shall appear for in-person Conference set for 5/27/2004 11:00 AM in Courtroom before Magistrate Judge James D. Moyer to discuss whether the claims of hourly workers should proceed in this action.(SDB) (Entered: 04/07/2004)
04/19/2004	<u>123</u>	ORDER by James D. Moyer on 4/15/04; Telephonic Conference set for 4/27/2004 will be held at 03:30 PM before Magistrate Judge James D. Moyer instead of 10:30 EST as originally scheduled.(SDB) (Entered: 04/19/2004)
04/20/2004	<u>124</u>	JOINT STATUS REPORT ON DISCOVERY. (SDB) (Entered: 04/21/2004)
05/24/2004	<u>125</u>	ORDER by James D. Moyer (eboc) on 5/24/04; Conference previously set for 5/27/04 is reset for 6/8/2004 01:30 PM (Eastern Time) in Courtroom before Magistrate Judge James D. Moyer.(SDB) (Entered: 05/24/2004)
06/09/2004	<u>126</u>	ORDER for proceedings held before James D. Moyer : Status Conference held on 6/9/2004. Telephonic Status Conference set for 7/29/2004 02:30 PM before Magistrate Judge James D. Moyer. (SDB) (Entered: 06/09/2004)
07/30/2004	<u>127</u>	ORDER for proceedings held before James D. Moyer : Telephonic Conference held on 7/29/2004; Telephonic Status Conference set for 9/20/2004 02:30 PM before Magistrate Judge James D. Moyer; Ct will initiate call. (SDB) (Entered: 07/30/2004)
09/24/2004	<u>128</u>	ORDER by James D. Moyer on 9/23/04; denying as moot <u>100</u> Motion to Compel, denying as moot <u>102</u> Motion to Compel; hrg

		set for 1:30 PM ET on 10/27/04 to continue orderly resolution of discovery concerns. (SDB) (Entered: 09/24/2004)
11/22/2004	<u>129</u>	ORDER for proceedings held before James D. Moyer : Status Conference held on 10/27/2004. Settlement Conference set for 1/21/2005 09:00 AM in Chambers before Magistrate Judge James D. Moyer. Status Report due by 1/14/2005. Parties to comply with remainder of order as set forth. (SDB) (Entered: 11/22/2004)
02/18/2005	<u>130</u>	REPORT ON SETTLEMENT CONFERENCE AND ORDER by James D. Moyer on 2/17/05; Settlement Conference held 1/21/05; significant progress was made; further settlement conference set for 4/6/2005 09:00 AM in Chambers before Magistrate Judge James D. Moyer; parties to comply with remainder of order as set forth.cc: Counsel(SDB) (Entered: 02/18/2005)
03/21/2005	<u>131</u>	Mail Returned as Undeliverable. Mail sent to David Stanford. (TAC) (Entered: 03/21/2005)
04/21/2005	<u>132</u>	REPORT ON SETTLEMENT CONFERENCE AND ORDER for proceedings held before James D. Moyer : Settlement Conference held on 4/06/2005. Magistrate Judge continuing conferences with counsel in an attempt to resolve this matter. cc:Counsel(SJS) (Entered: 04/21/2005)
01/05/2007	<u>133</u>	NOTICE of Change of Address by Eric Bachman (Bachman, Eric) (Entered: 01/05/2007)
01/12/2007	<u>134</u>	ORDER by Magistrate Judge James D. Moyer (EBOC) on 01/12/2007; Status Conference set for 2/26/2007 09:30 AM in Chambers before Magistrate Judge James D. Moyer.cc:Counsel(CSD) (Entered: 01/12/2007)
01/22/2007	<u>135</u>	Mail Returned as Undeliverable. Mail sent to attorney Robert Wiggins. (KJS) (Entered: 01/22/2007)
02/05/2007	<u>136</u>	NOTICE of Change of Address by Robert Wiggins (CSD) (Entered: 02/06/2007)
03/07/2007	<u>137</u>	ORDER by Magistrate Judge James D. Moyer on 3/6/07 (eboc): Settlement Conference set for 4/26/2007 at 9:30 AM before Magistrate Judge James D. Moyer.cc:Counsel(KJS) (Entered: 03/07/2007)
04/25/2007	<u>138</u>	ORDER by Magistrate Judge James D. Moyer on 4/25/07 (eboc): Settlement Conference set for 6/1/2007 at 9:30 AM before Magistrate Judge James D. Moyer.cc:Counsel(KJS) (Entered: 04/25/2007)
01/09/2008	<u>139</u>	ORDER by Magistrate Judge James D. Moyer (EBOC) on 01/09/2008; Settlement Conference set for 2/5/2008 10:30 AM in Court Library before Magistrate Judge James D. Moyer. Status Conference set for 2/14/2008 11:30 AM before Judge Thomas B. Russell.cc:counsel (CSD) (Entered: 01/09/2008)
01/23/2008	<u>141</u>	Mail Returned as Undeliverable re DN 139 sent to Rusty Johnson (CSD) (Entered: 01/24/2008)
01/24/2008	<u>140</u>	ORDER by Judge Thomas B. Russell on 01/23/2008; Scheduling Conference set for 2/14/2008 11:30 AM in Chambers before Judge Thomas B. Russell.cc:counsel (CSD) (Entered: 01/24/2008)
01/28/2008	<u>142</u>	ORDER by Magistrate Judge James D. Moyer on 01/28/2008 that parties may file settlement conference memoranda under seal. cc:counsel (CSD) (Entered: 01/28/2008)
01/29/2008	143	Sealed Document (TLB) (Entered: 01/30/2008)

01/29/2008	<u>144</u>	Sealed Document (TLB) (Entered: 01/31/2008)
02/13/2008	<u>145</u>	ORDER by Judge Thomas B. Russell on 02/13/2008; Scheduling Conference of 02/14/2008 cancelled and reset for 2/21/2008 09:00 AM in Louisville Chambers before Judge Thomas B. Russell.cc:counsel (CSD) (Entered: 02/13/2008)
02/20/2008	<u>146</u>	ORDER by Judge Thomas B. Russell on 02/20/2008 that in person conference of 02/21/2008 cancelled. cc:counsel (CSD) (Entered: 02/20/2008)
02/26/2008	<u>147</u>	REPORT for proceedings held before Magistrate Judge James D. Moyer: Settlement Conference held on 2/05/2008; parties unable to reach agreement; magistrate judge will file further status report on progress of settlement negotiations. cc:counsel (CSD) (Entered: 02/26/2008)
03/10/2008	<u>148</u>	Mail Returned as Undeliverable re DN 142 sent to David Sanford (CSD) (Entered: 03/10/2008)
03/10/2008	<u>149</u>	Mail Returned as Undeliverable re DN 145 sent to Rusty Johnson (CSD) (Entered: 03/10/2008)
03/12/2008	<u>150</u>	MOTION for Gerald L. Maatman, Jr. to Appear Pro Hac Vice as <i>Additional Defense Counsel</i> Filing fee \$ 65, receipt number 0644000000000681727.by Defendant Kroger Limited Partnership I Responses due by 3/31/2008 (Attachments: # <u>1</u> Exhibit Certificate of Admission to the Bar of Illinois, # <u>2</u> Affidavit of Gerald L. Maatman, Jr., # <u>3</u> Proposed Order) (Tate, John) (Entered: 03/12/2008)
03/20/2008	<u>151</u>	ORDER granting <u>150</u> Motion to Appear Pro Hac Vice of Gerald L. Maatman, Jr. Signed by Judge Thomas B. Russell on 03/20/2008. cc:counsel (CSD) (Entered: 03/20/2008)
03/25/2008	<u>152</u>	Mail Returned as Undeliverable re DN 140 sent to David Sanford (CSD) (Entered: 03/25/2008)
05/29/2008	<u>153</u>	Proposed Agreed Order/Stipulation by Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kroger Limited Partnership I, Kroger General Partnership, Inc., Kroger Texas L.P., Kroger Company. (Tate, John) Modified on 5/29/2008 to add plaintiffs as filers(CSD). (Entered: 05/29/2008)
06/03/2008	<u>154</u>	AGREED ORDER by Judge Thomas B. Russell on 06/02/2008; Hearing re proposed class settlement set for 6/17/2008 01:30 PM in Courtroom before Judge Thomas B. Russell.cc:counsel (CSD) Modified on 6/17/2008 to correct date of conference to 06/17/2008 (CSD). (Entered: 06/03/2008)
06/16/2008	<u>155</u>	MOTION to Consider <i>Preliminary Approval of Consent Decree</i> by Plaintiffs Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame, Defendants Kroger Limited Partnership I, Kroger General Partnership, Inc., Kroger Texas L.P., Kroger Company Responses due by 7/7/2008 (Attachments: # <u>1</u> Exhibit Ex. 1 to Mot. Preliminary Approval (Pls' Memo of Law), # <u>2</u> Exhibit Ex. 2 to Mot. Preliminary Approval (Defs' Memo of Law), # <u>3</u> Exhibit Ex. A to Defs' Memo of Law (Maatman Decl), # <u>4</u> Exhibit Ex. B to Defs' Memo of Law (Hult Decl), # <u>5</u> Exhibit Ex. C to Defs' Memo of Law (Murphy CV), # <u>6</u> Exhibit Ex. 3 to Mot. Preliminary Approval (Preliminary Approval Order), # <u>7</u> Exhibit Ex. 4 to Mot. Preliminary Approval (part 1 of 2) (Consent Decree), # <u>8</u> Exhibit Ex. 4 to Mot. Preliminary Approval (part 2 of 2) (Consent decree), # <u>9</u> Exhibit Ex. A to Consent Decree (Stipulation and dismissal), # <u>10</u> Exhibit Ex. B to Consent Decree (Release and Waiver), # <u>11</u> Exhibit Ex. C to Consent Decree

		(Notice and Claim Form), # <u>12</u> Exhibit Ex. D to Consent Decree (Media statement), # <u>13</u> Exhibit Ex. E to Consent Decree (Admin Order No. 1)) (Bachman, Eric) (Entered: 06/16/2008)
06/16/2008	<u>157</u>	Mail Returned as Undeliverable re DN 154 sent to David Sanford (CSD) (Entered: 06/17/2008)
06/17/2008	<u>156</u>	NOTICE by Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame re <u>155</u> MOTION to Consider <i>Preliminary Approval of Consent Decree of Corrected Exhibits</i> (Attachments: # <u>1</u> Exhibit Corrected Preliminary Approval Order (Ex. 3 to Motion for Preliminary Approval), # <u>2</u> Exhibit Corrected Consent Decree, part 1 of 2 (Ex. 4 to Motion for Preliminary Approval), # <u>3</u> Exhibit Corrected Consent Decree, part 2 of 2 (Ex. 4 to Motion for Preliminary Approval), # <u>4</u> Exhibit Corrected Notice and Claim form (Ex. C to Consent Decree)) (Bachman, Eric) (Entered: 06/17/2008)
06/20/2008	<u>158</u>	Unopposed MOTION to Amend/Correct <i>the Record</i> by Plaintiffs Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 7/8/2008 (Attachments: # <u>1</u> Exhibit Consent Decree (part 1), # <u>2</u> Exhibit Consent Decree (part 2 of 2), # <u>3</u> Exhibit Proposed Order for Preliminary Approval, # <u>4</u> Exhibit Notice and Claim Form, # <u>5</u> Proposed Order) (Reiser, Julie) (Entered: 06/20/2008)
06/25/2008	<u>159</u>	ADMINISTRATIVE ORDER NO. 1 by Judge Thomas B. Russell on 06/24/2008.cc:counsel (CSD) (Entered: 06/25/2008)
06/25/2008	<u>160</u>	ORDER granting <u>158</u> Motion to Amend/Correct. Signed by Judge Thomas B. Russell on 06/24/2008. cc:counsel (CSD) (Entered: 06/25/2008)
06/25/2008	<u>161</u>	ORDER granting <u>155</u> Motion to Consider Preliminary Approval of Consent Degree; Cohen, Milstein, Hausfeld & Toll and Wiggins, Childs, Quinn & Pantazis PLLC appointed settlement class counsel (see order for specifics); Evidentiary Hearing set for 10/27/2008 01:00 PM in Courtroom before Judge Thomas B. Russell. Signed by Judge Thomas B. Russell on 06/24/2008. cc:counsel (CSD) (Entered: 06/25/2008)
06/25/2008	<u>162</u>	CONSENT DECREE by Judge Thomas B. Russell on 06/24/2008; (Attachments: # <u>1</u> (part 2), # <u>2</u> (part 3))cc:counsel (CSD) (Entered: 06/25/2008)
08/20/2008	<u>163</u>	Unopposed MOTION for Attorney Fees <i>and Costs</i> by Plaintiffs Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 9/8/2008 (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit 1 – Sellers Declaration, # <u>3</u> Exhibit 2 – CMHT Billing Records (1 of 3), # <u>4</u> Exhibit 3 – CMHT Billing Records (2 of 3), # <u>5</u> Exhibit 4 – CMHT Billing Records (3 of 3), # <u>6</u> Exhibit 5 – Wiggins Declaration, # <u>7</u> Exhibit 6 – WCQP Billing Records (1 of 3), # <u>8</u> Exhibit 7 – WCQP Billing Records (2 of 3), # <u>9</u> Exhibit 8 – WCQP Billing Records (3 of 3), # <u>10</u> Exhibit 9 – WCQP Expenses, # <u>11</u> Exhibit 10 – Chart of Local and Co-Counsel Hours, # <u>12</u> Exhibit 11 – Sales Billing Records, # <u>13</u> Exhibit 12 – Whitman Billing Records (1 of 5), # <u>14</u> Exhibit 13 – Whitman Billing Records (2 of 5), # <u>15</u> Exhibit 14 – Whitman Billing Records (3 of 5), # <u>16</u> Exhibit 15 – Whitman Billing Records (4 of 5), # <u>17</u> Exhibit 16 – Whitman Billing Records (5 of 5), # <u>18</u> Exhibit 17 – Tobias Billing Records, # <u>19</u>

		Memorandum in Support Memorandum in Support # <u>20</u> Proposed Order Order) (Reiser, Julie) Modified on 8/21/2008 to correct attachment descriptions(CSD). (Entered: 08/20/2008)
08/21/2008	<u>164</u>	MOTION for Attorney Fees by Plaintiff Ron Wade Responses due by 9/8/2008 (Attachments: # <u>1</u> Exhibit 1 – Signed Declaration of Grant Morris, # <u>2</u> Exhibit 2 – Lodestar analysis, # <u>3</u> Exhibit 3 – Time records, # <u>4</u> Exhibit 4 – Manners v. American, # <u>5</u> Exhibit 5 – Imwalle v. Reliance, # <u>6</u> Exhibit 6 – Laffey Matrix, # <u>7</u> Exhibit 7 – McDowell v. DC, # <u>8</u> Memorandum in Support, # <u>9</u> Proposed Order Granting Atty Fees) (Sales, Kenneth) (Entered: 08/21/2008)
08/21/2008	<u>165</u>	MOTION for Extension of Time to File by Plaintiff Ron Wade Responses due by 9/2/2008 (Attachments: # <u>1</u> Proposed Order Grantig Extensio of Time) (Sales, Kenneth) (Entered: 08/21/2008)
08/21/2008	<u>166</u>	MOTION for Disbursement of Funds by Plaintiff Ron Wade Responses due by 9/8/2008 (Attachments: # <u>1</u> Proposed Order to pay fees direct to Grant Morris) (Sales, Kenneth) (Entered: 08/21/2008)
08/26/2008	<u>167</u>	ORDER granting <u>165</u> Motion for Extension of Time to File. Signed by Judge Thomas B. Russell on 08/25/2008. cc:counsel (CSD) (Entered: 08/26/2008)
08/29/2008	<u>168</u>	ORDER by Judge Thomas B. Russell on 08/28/2008 that oath is not required as to Special Master Nathaniel R. Jones.cc:counsel (CSD) (Entered: 08/29/2008)
09/04/2008	<u>169</u>	MOTION for Leave to Substitute Attorney Name on motions by Plaintiff Ron Wade Responses due by 9/22/2008 (Attachments: # <u>1</u> Proposed Order) (Sales, Kenneth) Modified on 9/5/2008 to correct docket text–incorrect motion relief selected by e–filer) (CSD). (Entered: 09/04/2008)
09/05/2008	<u>170</u>	ORDER by Magistrate Judge James D. Moyer on 9/5/08 re <u>163</u> and <u>164</u> Motions for Attorney Fees: Court requests counsel submit briefs by 9/19/08. cc: counsel (NM) (Entered: 09/05/2008)
09/10/2008	<u>171</u>	Order for proceedings held before Magistrate Judge James D. Moyer re Telephone Conference held on 9/09/2008; matter will proceed in accordance with order dated 09/05/2008. cc:counsel (CSD) (Entered: 09/10/2008)
09/12/2008	<u>172</u>	ORDER granting <u>169</u> Motion for Leave to Substitute Attorney names on motions. Signed by Judge Thomas B. Russell on 9/11/08. cc:counsel (KJS) (Entered: 09/12/2008)
09/25/2008	<u>173</u>	ORDER by Magistrate Judge James D. Moyer on 09/25/2008 extending deadline for filing briefs to 9/29/2008.cc:counsel (CSD) (Entered: 09/25/2008)
09/25/2008	<u>174</u>	Second MOTION for extension of time to file <i>memorandum re: fees</i> by Plaintiffs Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 10/14/2008 (Whitman, Bruce) Modified on 9/26/2008 to correct docket text(CSD). (Entered: 09/25/2008)
09/29/2008	<u>175</u>	SUPPLEMENTAL MEMORANDUM re <u>164</u> Motion for Attorney Fees, by Julie Long, Elnora Mays–Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame. (CSD) (Entered: 09/29/2008)
09/29/2008	<u>176</u>	Letter from Kristin Walsh re ECF registration of Grant Morris (CSD) (Entered: 09/29/2008)
09/29/2008	<u>177</u>	OBJECTION to proposed class action settlement by Haywood Mack Ross (CSD) (Entered: 09/29/2008)

09/30/2008	<u>178</u>	RESPONSE to Motion re <u>163</u> Unopposed MOTION for Attorney Fees <i>and Costs</i> , <u>164</u> MOTION for Attorney Fees. Replies due by 10/14/2008. (Attachments: # <u>1</u> Declaration of Joseph M. Sellers, # <u>2</u> Exhibit A) (CSD) (Entered: 09/30/2008)
10/02/2008	<u>179</u>	SUPPLEMENTAL MEMORANDUM re <u>175</u> Memorandum, (Attachments: # <u>1</u> Exhibit A) by Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame. (CSD) (Entered: 10/03/2008)
10/09/2008	<u>180</u>	MOTION to Withdraw as Attorney by Defendant Kroger Company Responses due by 10/27/2008 (Gaur, Shanthi) (Additional attachment(s) added on 10/10/2008: # Proposed Order) (CSD). (Additional attachment(s) added on 11/21/2008: # <u>2</u> Proposed Order) (CSD). (Entered: 10/09/2008)
10/10/2008	<u>181</u>	NOTICE of Deficiency re <u>180</u> Motion to Withdraw as Attorney (Proposed Order): failure to comply will be brought to the attention of the Court. Response due by 10/17/2008. (CSD) (Entered: 10/10/2008)
10/10/2008	<u>182</u>	NOTICE of Filing Proposed Order by Kroger Company re <u>180</u> MOTION to Withdraw as Attorney (Attachments: # <u>1</u> Proposed Order) (Gaur, Shanthi) (Entered: 10/10/2008)
10/20/2008	<u>184</u>	NOTICE of Filing Objections and Opt-Outs by Settlement Administrator. (Attachments: # <u>1</u> Exhibit A-Class Member Objections, # <u>2</u> Exhibit B-Opt-outs) (CSD) (Entered: 10/21/2008)
10/21/2008	<u>183</u>	MOTION to Withdraw <i>Lynne Gellenbeck as counsel of record</i> by Defendant Kroger Company Responses due by 11/10/2008 (Attachments: # <u>1</u> Proposed Order) (Gaur, Shanthi) (Entered: 10/21/2008)
10/22/2008	<u>185</u>	Final MOTION for Settlement by Plaintiffs Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 11/10/2008 (Attachments: # <u>1</u> Memorandum in Support of Motion for Final Approval of Class Settlement, # <u>2</u> Declaration of Joseph M. Sellers, # <u>3</u> Proposed Order to Motion for Final Approval of Class Settlement) (Reiser, Julie) (Entered: 10/22/2008)
10/23/2008	<u>186</u>	ORDER by Magistrate Judge James D. Moyer on 10/23/2008; re <u>166</u> MOTION for Disbursement of Funds filed by Ron Wade, <u>164</u> MOTION for Attorney Fees filed by Ron Wade Evidentiary Hearing set for 11/10/2008 10:30 AM in Louisville Courtroom before Magistrate Judge James D. Moyer.cc:counsel (CSD) (Entered: 10/23/2008)
10/24/2008	<u>187</u>	Unopposed MOTION for Disbursement of Funds by Plaintiffs Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 11/12/2008 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Julie Goldsmith Reiser, # <u>3</u> Proposed Order) (Reiser, Julie) (Entered: 10/24/2008)
10/24/2008	<u>188</u>	MOTION Supporting the Fairness of the Proposed Class Action Settlement re <u>185</u> Final MOTION for Settlement by Defendant Kroger Company Responses due by 11/12/2008 (Attachments: # <u>1</u> Memorandum in Support) (Hult, Keith) (Additional attachment(s) added on 10/31/2008: # <u>2</u> Proposed Order) (KJS). (Entered: 10/24/2008)

10/24/2008	<u>189</u>	Unopposed MOTION to Amend/Correct <u>185</u> Final MOTION for Settlement (<i>Attachment 3 – Proposed Order to Motion for Final Approval ONLY</i>) by Plaintiffs Julie Long, Elnora Mays–Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame Responses due by 11/12/2008 (Attachments: # <u>1</u> Exhibit Amended Proposed Order Granting Final Approval of Consent Decree, # <u>2</u> Proposed Order) (Bachman, Eric) (Entered: 10/24/2008)
10/27/2008	<u>190</u>	NOTICE of Deficiency re <u>188</u> Motion for Miscellaneous Relief (Proposed Order0: failure to comply will be brought to the attention of the Court. Response due by 11/3/2008. (CSD) (Entered: 10/27/2008)
10/27/2008	<u>191</u>	OATH for interpreter, Renee Wimsott. (CSD) (Entered: 10/27/2008)
10/27/2008	<u>196</u>	Objection to Consent Decree <u>162</u> filed by Donna Lewis. (SC) (Entered: 11/05/2008)
10/29/2008	<u>192</u>	ORDER granting <u>187</u> Motion for Partial Disbursement of Funds. Signed by Judge Thomas B. Russell on 10/28/08. cc:counsel (KJS) (Entered: 10/29/2008)
10/29/2008	<u>193</u>	ORDER granting <u>189</u> Motion to Amend the record. Signed by Judge Thomas B. Russell on 10/28/08. cc:counsel (KJS) (Entered: 10/29/2008)
10/30/2008	<u>194</u>	NOTICE of Filing Proposed Order by Kroger Company re <u>188</u> MOTION Supporting the Fairness of the Proposed Class Action Settlement re <u>185</u> Final MOTION for Settlement (Attachments: # <u>1</u> Proposed Order) (Gaur, Shanthi) (Entered: 10/30/2008)
10/31/2008	<u>195</u>	Order for proceedings held before Magistrate Judge James D. Moyer: Telephone Conference held on 10/31/2008. Evidentiary Hearing scheduled for 11/10/08 is REMANDED from the Court's docket. Supplemental Brief due by 11/7/2008. cc:counsel (KJS) (Entered: 10/31/2008)
11/07/2008	<u>197</u>	REPLY re <u>163</u> Unopposed MOTION for Attorney Fees and Costs, <u>179</u> Supplement, <i>Reply Brief of Wiggins Childs Quinn and Pantazis LLC on Fee Issues</i> filed by Julie Long, Elnora Mays–Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame. (Wiggins, Robert) (Entered: 11/07/2008)
11/10/2008	<u>198</u>	NOTICE of Filing re <u>164</u> MOTION for Attorney Fees (Attachments: # <u>1</u> Exhibit A) (CSD) (Entered: 11/10/2008)
11/10/2008	<u>199</u>	RESPONSE to the <i>Reply Brief of Wiggins, Childs, Quinn & Pantazis on Fee Issues in Support of An Award of Attornyes' Fees in Connection with the Kroger Race Discrimination class Action Settlement</i> filed by Julie Long, Elnora Mays–Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame. (Attachments: # <u>1</u> Exhibit A – Declaration of David Sanford) (Morris, Grant) Modified on 11/12/2008 to create link to appropriate document (csd). (Entered: 11/10/2008)
11/12/2008	<u>200</u>	REPLY re <u>199</u> Response., <i>Second Supplemental Declaration Of Robert L. Wiggins, Jr.</i> filed by Julie Long, Elnora Mays–Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame. (Wiggins, Robert) (Entered: 11/12/2008)

11/18/2008	<u>201</u>	NOTICE of Firm Name Change by Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame (Sellers, Joseph) (Entered: 11/18/2008)
11/21/2008	<u>202</u>	MEMORANDUM AND OPINION by Judge Thomas B. Russell on 11/20/2008 re <u>185</u> Final MOTION for Settlement. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)cc:counsel (CSD) (Entered: 11/21/2008)
11/21/2008	<u>203</u>	ORDER re <u>163</u> Motion for Attorney Fees, <u>164</u> Motion for Attorney Fees, <u>166</u> Motion for Disbursement of Funds, <u>185</u> Motion for Settlement, <u>188</u> Motion re approval of settlement. Signed by Judge Thomas B. Russell on 11/20/2008. cc:counsel (CSD) (Entered: 11/21/2008)
11/21/2008	<u>204</u>	ORDER granting <u>180</u> Motion to Withdraw as Attorney. Signed by Judge Thomas B. Russell on 11/21/2008. cc:counsel (CSD) (Entered: 11/21/2008)
11/21/2008	<u>205</u>	ORDER granting <u>183</u> Motion to Withdraw. Signed by Judge Thomas B. Russell on 11/21/2008. cc:counsel (CSD) (Entered: 11/21/2008)
12/02/2008	<u>206</u>	Mail Returned as Undeliverable re DN 167 Mail sent to Grant Morris (CSD) (Entered: 12/02/2008)
12/03/2008	<u>207</u>	NOTICE of filing withdrawal of appearance by Eric Bachman by Julie Long, Elnora Mays-Jones, Dwight Cummings, Ronald Clayton, Ron Wade, Cary Owsley, Vincent Mangruem, Felicia Hawkins, Michael Elliott, Kim Brewer, Gwendolyn Barker, Thomas Brame (Bachman, Eric) (Entered: 12/03/2008)
12/29/2008	<u>208</u>	Mail Returned as Undeliverable re DN 171 sent to Grant Morris (CSD) (Entered: 12/29/2008)
12/30/2008	<u>209</u>	Mail Returned as Undeliverable re DN 174 sent to Grant Morris (CSD) (Entered: 12/30/2008)