

CLOSED, VMM

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:98-cv-75645-AC**

EEOC v. Burlington Coat, et al
Assigned to: District Judge Avern Cohn
Demand: \$0

Date Filed: 09/22/1998
Date Terminated: 12/14/2000
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Adele Rapport - INACTIVE**
Equal Employment Opportunity
Commission
477 Michigan Avenue
Room 865
Detroit, MI 48226
313-226-5670
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah M. Barno
Equal Employment Opportunity
Commission
477 Michigan Avenue
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V.

Defendant

**Burlington Coat Factory Warehouse,
Incorporated**

represented by **Keith James**
Dawda, Mann,
39533 N. Woodward Avenue
Suite 200
Bloomfield Hills, MI 48304-2815
248-642-3700
Fax: 248-642-3700
LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***Defendant**

**Burlington Coat Factory Warehouse
Corporation of Taylor, Incorporated**

represented by **Keith James**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/22/1998	1	COMPLAINT; jury demand - Receipt # U.S. Agency (pm) (Entered: 10/02/1998)
10/19/1998	2	ANSWER by defendant Burlington Coat, defendant Burlington Coat to complaint [1-1] with proof of mailing (pm) (Entered: 10/28/1998)
10/19/1998	2	AFFIRMATIVE defenses by defendant Burlington Coat, defendant Burlington Coat with proof of mailing (pm) (Entered: 10/28/1998)
10/28/1998		SCHEDULE: by Judge Paul V. Gadola scheduling conference set for 2:00 11/12/98 (rc) (Entered: 10/28/1998)
10/28/1998	3	NOTICE of scheduling conference set for 2:00 11/12/98 (pm) (Entered: 11/10/1998)
11/03/1998	4	PROOF of mailing of notice of taking deposition of Shirley Sikes and Dorothy Harding and proof of mailing (pm) (Entered: 11/10/1998)
11/17/1998	5	PRETRIAL scheduling order by Judge Paul V. Gadola - deadline for discovery set for 5/31/99 , deadline for witness list set for 4/12/99 , deadline for filing dispositive motions set for 6/18/99 , final pretrial conference set for 2:00 9/13/99 , civil jury trial set for 10/4/99 (pm) (Entered: 12/03/1998)
03/30/1999	6	PROOF of mailing of Defendants' first set of interrogatories to Plaintiff and this proof of mailing (pm) (Entered: 04/02/1999)
04/16/1999	7	ORDER by Judge Paul V. Gadola with stipulation, setting deadline for witness list for 5/3/99 , setting deadline for filing motions for 6/4/99 (pm) (Entered: 04/26/1999)
05/03/1999	8	WITNESS list by defendant with proof of mailing (pm) (Entered: 05/12/1999)
06/03/1999	9	PROOF of mailing of Plaintiff's notice of depositions (pm) Modified on 05/25/2000 (Entered: 06/24/1999)
06/10/1999	10	ORDER by Judge Paul V. Gadola with stipulation, setting deadline for discovery for 6/30/99 , setting deadline for filing dispositive motions for 7/18/99 [EOD Date: 6/24/99] (pm) Modified on 05/25/2000 (Entered: 06/24/1999)
07/02/1999	11	PROOF of mailing of renoteice of taking deposition (pm) Modified on 05/25/2000 (Entered: 07/28/1999)
07/16/1999	12	PROOF of mailing of defendants' response to equal employment opportunity commission's first set of interrogatories and related discovery requests (pm) Modified on 05/25/2000 (Entered: 07/28/1999)

07/19/1999	13	MOTION by defendant Burlington Coat, defendant Burlington Coat for summary judgment with brief, attachments and proof of mailing (dw) Modified on 05/25/2000 (Entered: 07/27/1999)
07/21/1999	14	CORRECTED MOTION by defendant Burlington Coat, defendant Burlington Coat for summary judgment with signed Affidavit of Maureen MacAloon with brief & attachments (dw) Modified on 05/25/2000 (Entered: 07/27/1999)
07/23/1999	15	NOTICE of setting hearing on motion for summary judgment with signed Affidavit of Maureen MacAloon by Burlington Coat, Burlington Coat [12-1] for 2:00 9/15/99, motion for summary judgment by Burlington Coat, Burlington Coat [11-1] for 2:00 9/15/99 (dw) Modified on 05/25/2000 (Entered: 07/27/1999)
08/13/1999	16	ORDER by Judge Paul V. Gadola with stipulation, amending deadline for response to motion for summary judgment with signed Affidavit of Maureen MacAloon by Burlington Coat, Burlington Coat [14-1] for 8/13/99, motion for summary judgment by Burlington Coat, Burlington Coat [13-1] for 8/13/99 [EOD Date: 8/16/99] (pm) Modified on 05/25/2000 (Entered: 08/16/1999)
08/13/1999	17	RESPONSE by plaintiff EEOC to motion for summary judgment with signed Affidavit of Maureen MacAloon by Burlington Coat, Burlington Coat [14-1], motion for summary judgment by Burlington Coat, Burlington Coat [13-1] with attachments (pm) Modified on 05/25/2000 (Entered: 08/23/1999)
08/23/1999	18	REPLY by defendant to response to motion for summary judgment with signed Affidavit of Maureen MacAloon by Burlington Coat, Burlington Coat [14-1] with proof of mailing (pm) Modified on 05/25/2000 (Entered: 08/31/1999)
10/07/1999	19	AFFIDAVIT of Dorothy Harding (pm) (Entered: 10/13/1999)
10/07/1999	20	AFFIDAVIT of Shirley Sikes (pm) (Entered: 10/13/1999)
03/31/2000	21	MEMORANDUM opinion and order by Judge Paul V. Gadola denying motion for summary judgment with signed Affidavit of Maureen MacAloon by Burlington Coat, Burlington Coat [14-1], denying motion for summary judgment by Burlington Coat, Burlington Coat [13-1] with proof of mailing [EOD Date: 4/3/00] (dw) (Entered: 04/03/2000)
05/10/2000	22	ORDER by Judge Paul V. Gadola, setting deadline for final pretrial order for 6/12/00 , setting final pretrial conference for 2:00 6/19/00 , setting trailing trial docket for 9:00 7/10/00 [EOD Date 5/25/00] (pm) Modified on 05/25/2000 (Entered: 05/25/2000)
06/19/2000		FINAL pretrial conference held, Joint Final Pretrial Order Accepted and Entered - Judge Paul V. Gadola (rc) (Entered: 06/19/2000)
06/19/2000	23	ORDER by Judge Paul V. Gadola referring case to a Judge or Magistrate Judge for purposes of conducting a settlement conference [EOD Date 6/20/00] (th) (Entered: 06/20/2000)
06/19/2000	24	JOINT FINAL pretrial order by Judge Paul V. Gadola (th) (Entered: 06/20/2000)
06/29/2000	25	ORDER reassigning and transferring case from Judge Paul V. Gadola in Flint 98-cv-40332 to Judge Avern Cohn in Detroit 98-cv-75645 - Reason: docket efficiency (pm) (Entered: 07/03/2000)

06/29/2000	26	NOTICE from the chambers of Judge Cohn setting settlement conference for 3:00 7/12/00 with proof of mailing (dh) (Entered: 07/05/2000)
07/07/2000	27	FIRST MOTION by defendants in limine to preclude plaintiff from seeking compensatory, punitive and liquidated damages and from introducing evidence regarding BCF's financial condition with brief, exhibits and proof of mailing (lh) Modified on 10/23/2000 (Entered: 07/10/2000)
07/10/2000	28	MOTION by plaintiff EEOC in limine to exclude defendants' expert witnesses with brief and exhibits (lh) Modified on 07/11/2000 (Entered: 07/11/2000)
07/10/2000	29	MOTION by plaintiff EEOC in limine prohibiting defendants from arguing any "Market Forces" defense to the EEOC's Equal Pay Act Claim with brief and exhibits (lh) (Entered: 07/11/2000)
07/10/2000	30	MOTION by plaintiff EEOC in limine requesting court to take judicial notice of defendant Burlington Coat Factory Warehouse Corporation Inc's 10-K Report with brief and exhibits (lh) (Entered: 07/11/2000)
07/10/2000	31	MOTION by plaintiff EEOC in limine to exclude testimony of Cynthia Blevins and testimony regarding Cynthia Blevins Employment at defendants' Taylor, MI Store with brief and exhibits (lh) (Entered: 07/11/2000)
07/10/2000	32	MOTION by plaintiff EEOC in limine to exclude Evidence regarding Shirley Sikes' retaliation charge with brief and exhibit (lh) (Entered: 07/11/2000)
07/11/2000	33	RECORD received from USDC Flint (dh) (Entered: 07/11/2000)
09/27/2000	34	NOTICE by court of setting civil jury trial for 9:00 10/19/00 with proof of mailing (lh) (Entered: 09/28/2000)
10/13/2000	35	RESPONSE by plaintiff to motion in limine to preclude plaintiff from seeking compensatory, punitive and liquidated damages and from introducing evidence regarding BCF's financial condition by Burlington Coat, Burlington Coat [27-1] with exhibits 1-13 (PP) (Entered: 10/16/2000)
10/16/2000	36	RESPONSE by defendant Burlington Coat, defendant Burlington Coat to motion in limine to exclude testimony of Cynthia Blevins and testimony regarding Cynthia Blevins Employment at defendants' Taylor, MI Store by EEOC [31-1] (RH) Modified on 10/18/2000 (Entered: 10/18/2000)
10/16/2000	37	RESPONSE by defendant Burlington Coat, defendant Burlington Coat to motion in limine prohibiting defendants from arguing any "Market Forces" defense to the EEOC's Equal Pay Act Claim by EEOC [29-1] (RH) (Entered: 10/18/2000)
10/16/2000	38	RESPONSE by defendant Burlington Coat, defendant Burlington Coat to motion in limine requesting court to take judicial notice of defendant Burlington Coat Factory Warehouse Corporation Inc's 10-K Report by EEOC [30-1] (RH) (Entered: 10/18/2000)
10/23/2000	39	BRIEF in reply by defendants to plaintiff's response to motion in limine to preclude plaintiff from seeking compensatory, punitive and liquidated damages and from introducing evidence regarding BCF's financial condition by Burlington Coat, Burlington Coat [27-1] with attachments and proof of mailing (lh) (Entered: 10/23/2000)

10/23/2000	40	APPEARANCE for plaintiff EEOC of attorney Deborah M. Barno with proof of mailing (lh) (Entered: 10/23/2000)
10/27/2000	41	SUPPLEMENTAL reply brief in supprt by defendants to plaintiff's response to motion in limine to preclude plaintiff from seeking compensatory, punitive and liquidated damages and from introducing evidence regarding BCF's financial condition by Burlington Coat, Burlington Coat [27-1] with atachment and proof of mailing (lh) (Entered: 10/30/2000)
10/30/2000		MOTION hearing held on motion in limine to exclude Evidence regarding Shirley Sikes' retaliation charge by EEOC [32-1], motion in limine to exclude testimony of Cynthia Blevins and testimony regarding Cynthia Blevins Employment at defendants' Taylor, MI Store by EEOC [31-1], motion in limine requesting court to take judicial notice of defendant Burlington Coat Factory Warehouse Corporation Inc's 10-K Report by EEOC [30-1], motion in limine prohibiting defendants from arguing any "Market Forces" defense to the EEOC's Equal Pay Act Claim by EEOC [29-1], motion in limine to exclude defendants' expert witnesses by EEOC [28-1], motion in limine to preclude plaintiff from seeking compensatory, punitive and liquidated damages and from introducing evidence regarding BCF's financial condition by Burlington Coat, Burlington Coat [27-1] - disposition: GRANTED in part DENIED in part - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 11/03/2000)
11/08/2000	42	TRANSCRIPT taken on 10/30/00 of motions in limine (dh) (Entered: 11/09/2000)
11/29/2000	43	VOIR DIRE questions by defendants' (RH) (Entered: 11/30/2000)
11/29/2000	44	TRIAL brief by defendants', with proof of service (RH) (Entered: 11/30/2000)
11/29/2000	45	MOTION by defendants' in limine to preclude remard of Time Shoulders , with brief, exhbiits and proof of service (RH) (Entered: 11/30/2000)
11/30/2000	46	MOTION by defendant Burlington Coat, defendant Burlington Coat in limine evidence concerning policy of wage confidentiality , with brief, exhibits and proof of service (RH) (Entered: 12/01/2000)
11/30/2000	47	DEPOSITION of James Barkai taken on 7/12/99 (RH) Modified on 12/01/2000 (Entered: 12/01/2000)
11/30/2000	48	DEPOSITION of Donald E. Schafer taken on 8/4/99 (RH) (Entered: 12/01/2000)
11/30/2000	49	DEPOSITION of Maureen MacAloon taken on 7/13/99 (RH) (Entered: 12/01/2000)
11/30/2000	50	DEPOSITION of Natalie N. Wardin taken on 7/13/99 (RH) (Entered: 12/01/2000)
11/30/2000	51	NOTICE of filing discovery (depositions of James Barkai, Maureen MacAloon, Donald Schafer, Natalie Wardin) , (RH) (Entered: 12/01/2000)
12/04/2000		JURY impanelment held before Judge Avern Cohn -Court Reporter: Sheri Ward (jc) (Entered: 12/07/2000)

12/04/2000		CIVIL jury trial begun and continued to 9:00 12/5/00 - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/07/2000)
12/05/2000		CIVIL jury trial held and continued to 9:00 12/6/00 - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/07/2000)
12/06/2000		CIVIL jury trial held and continued to 9:00 12/8/00 - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/07/2000)
12/07/2000	52	MOTION by plaintiff EEOC in limine to preclude evidence concerning Dorothy Harding's subsequent employment with brief, exhibit and proof of mailing (DT) (Entered: 12/08/2000)
12/08/2000		CIVIL jury trial held and continued to 9:00 12/11/00 - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/14/2000)
12/11/2000		CIVIL jury trial held and continued to 9:00 12/13/00 - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/14/2000)
12/13/2000	53	SUPPLEMENTAL JURY instructions filed by defendants (ew) (Entered: 12/14/2000)
12/13/2000	54	VERDICT form (ew) (Entered: 12/14/2000)
12/13/2000		CIVIL jury trial concluded - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/14/2000)
12/13/2000		JURY deliberations held (jc) (Entered: 12/14/2000)
12/13/2000		JURY verdict entered for Burlington Coat, Burlington Coat and against EEOC - Judge Avern Cohn - Court Reporter: Sheri Ward (jc) (Entered: 12/14/2000)
12/14/2000	55	JUDGMENT entered for Burlington Coat, Burlington Coat against EEOC [EOD Date: 12/15/00] (ew) (Entered: 12/15/2000)

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