

CLOSED, DAS

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:98-cv-70846-AJT**

EEOC v. Consumers Energy Co
Assigned to: Judge Arthur J Tarnow
Demand: \$0

Date Filed: 02/26/1998
Date Terminated: 03/29/2001
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Adele Rapport**
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V.

Defendant

Consumers Energy Company
formerly known as
Consumers Power Company

represented by **Patricia L. Staley**
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Date Filed	#	Docket Text
02/26/1998	1	COMPLAINT with jury demand - Receipt # USA (cm) (Entered: 02/27/1998)
04/01/1998	2	ANSWER by defendant Consumers Energy Co to complaint [1-1] with proof of mailing (lh) (Entered: 04/01/1998)
04/01/1998	2	AFFIRMATIVE defenses by defendant Consumers Energy Co with proof of mailing (lh) (Entered: 04/01/1998)
04/13/1998	3	PROOF of mailing by defendant Consumers Energy Co of first request for production of documents (db) (Entered: 04/13/1998)
05/26/1998	5	NOTICE of reassignment of case from Judge George E. Woods to Judge Arthur J. Tarnow pursuant to administrative order 98-AO-023 (MM) (Entered: 06/03/1998)
05/27/1998	4	PRETRIAL scheduling order by Judge George E. Woods - deadline for discovery set for 11/2/98 , deadline for filing dispositive motions 11/20/98 , final pretrial conference set for 1:00 4/6/99 , deadline for witness list set for 10/12/98 , civil jury trial set for 8:30 6/8/99 (bk) (Entered: 05/28/1998)
07/27/1998	6	PROOF of mailing of plaintiff's responses to defendant's first set of interrogatories, related requests to produce , first request for admission and related interrogatory (ls) (Entered: 07/28/1998)
08/31/1998	7	PROOF of mailing by defendant Consumers Energy Co of notice of deposition of Patricia McNeil (DT) (Entered: 09/01/1998)
08/31/1998	8	NOTICE by defendant of taking deposition of Patricia McNeil on 9/16/98 at 10:00 am (DT) (Entered: 09/01/1998)
09/23/1998	9	PROOF of mailing of EEOC's second set of interrogatories and requests to produce documents and things (ew) (Entered: 09/24/1998)
09/30/1998	10	PROOF of mailing of defendant's second request for production of documents (ls) (Entered: 10/01/1998)
10/05/1998	11	APPEARANCE for defendant of attorney Richard J. Seryak (PP) (Entered: 10/06/1998)
10/05/1998	12	PROOF of mailing by defendant of second interrogatories and related requests to produce defendant's second request for admission and related interrogatory, and

		notice of attorney appearance.. (PP) (Entered: 10/06/1998)
10/13/1998	13	WITNESS list by defendant Consumers Energy Co with proof of mailing (DT) (Entered: 10/14/1998)
10/15/1998	14	FIRST WITNESS list by plaintiff EEOC (DT) (Entered: 10/16/1998)
10/16/1998	15	PROOF of mailing (copy) of Consumers Energy Company's answers to plaintiff EEOC's first set of interrogatories and requests for production of documents (lh) Modified on 10/26/1998 (Entered: 10/19/1998)
10/16/1998	16	PROOF of mailing of Consumers Energy Company's answers to plaintiff EEOC's first set of requests for admission (lh) Modified on 10/26/1998 (Entered: 10/19/1998)
10/22/1998		SCHEDULE: by Judge Arthur J. Tarnow status conference set for 2:15 11/10/98 (tt) (Entered: 10/22/1998)
11/04/1998	17	PROOF of mailing by defendant Consumers Energy Co of answers to plaintiff's third set of requests for production of documents (RH) (Entered: 11/05/1998)
11/04/1998	18	PROOF of mailing by defendant Consumers Energy Co of answers to plaintiff's second set of interrogatories and requests to produce documents (RH) (Entered: 11/05/1998)
11/10/1998		STATUS conference held and new dates were given. - Judge Arthur J. Tarnow (tt) (Entered: 11/10/1998)
11/10/1998	19	PRETRIAL scheduling order by Judge Arthur J. Tarnow - deadline for discovery set for 3/1/99 , deadline for filing motions set for 2/1/99 , deadline for witness list set for 1/10/99 , deadline for filing dispositive motions set for 4/1/99 , final pretrial conference set for 2:30 5/18/99 , deadline for final pretrial order set for 5/11/99 , settlement conference set for 2:30 5/18/99 , civil jury trial set for April/June of 1999 and that defendant will send prepared questionnaire by 11/17/98 (lh) (Entered: 11/12/1998)
12/07/1998	20	PROOF of mailing by plaintiff EEOC of answers to defendant's second interrogatories (DT) (Entered: 12/08/1998)
01/12/1999	21	AMENDED WITNESS list by defendant Consumers Energy Co, with proof of service (RH) (Entered: 01/14/1999)
01/13/1999	22	SECOND WITNESS list by plaintiff EEOC, with proof of service (RH) (Entered: 01/15/1999)
01/19/1999	23	AMENDED WITNESS list by Consumers Energy Co (ew) (Entered: 01/20/1999)
02/01/1999	24	MOTION by plaintiff EEOC to modify the court's scheduling order with brief and exhibits (ls) (Entered: 02/02/1999)
02/01/1999	25	MOTION by defendant Consumers Energy Co to comply with brief, notice of hearing, exhibits and proof of mailing (ls) (Entered: 02/02/1999)
02/01/1999	34	MOTION by plaintiff EEOC to compel discovery with brief and exhibits (RH) (Entered: 02/24/1999)

02/01/1999	35	PROOF of mailing by plaintiff EEOC of motion and brief to modify the Court's scheduling order (RH) (Entered: 02/24/1999)
02/04/1999	36	AMENDED PROOF of mailing by plaintiff EEOC of motion and brief to modify the Court's scheduling order (RH) (Entered: 02/24/1999)
02/05/1999	26	SECOND amended witness list by defendant, with proof of mailing. (PP) (Entered: 02/08/1999)
02/05/1999	27	PROOF of mailing by defendant of notice of deposition duces tecum of Debra Busard; Vicki Johnson-Crilly; Laura Bemis; Rose Slobodian and Diane Dodds. (PP) (Entered: 02/08/1999)
02/09/1999	28	ORDER by Judge Arthur J. Tarnow, referring motion to comply by Consumers Energy Co [25-1] and motion to compel discovery [34-1] to Magistrate Judge Donald A. Scheer , for hearing and determination (RH) (Entered: 02/24/1999)
02/16/1999	29	PROOF of mailing by defendant Consumers Energy Co of supplemental answers to interrogatories and request for production of documents to plaintiff's attorney (RH) (Entered: 02/17/1999)
02/16/1999	31	RESPONSE by defendant Consumers Energy Co to motion to modify the court's scheduling order by EEOC [24-1] with exhibits 1-4 (RH) (Entered: 02/17/1999)
02/16/1999	32	PROOF of mailing of defendant's response to EEOC's motion to modify scheduling order and motion to compel (ls) (Entered: 02/17/1999)
02/16/1999	37	RESPONSE by defendant Consumers Energy Co to motion to compel discovery by EEOC [34-1] with exhibits 1-3 (RH) (Entered: 02/24/1999)
02/16/1999	42	RESPONSE by defendant Consumers Energy Co to motion to modify the court's scheduling order by EEOC [24-1], with exhibits 1-4, brief and proof of service (RH) (Entered: 02/24/1999)
02/17/1999	38	NOTICE by Magistrate Donald Scheer of setting hearing on motion to comply by Consumers Energy Co [25-1] and motion to compel by EEOC [34-1] for 2:00 3/3/99 (RH) (Entered: 02/24/1999)
02/18/1999	39	MOTION by defendant Consumers Energy Co for pre-trial conference , with brief, exhibit 1, notice of hearing and proof of service (RH) (Entered: 02/24/1999)
02/18/1999	41	PROOF of mailing by defendant Consumers Energy Co of third request for production of documents (RH) (Entered: 02/24/1999)
02/19/1999	33	RESPONSE by plaintiff EEOC to motion to comply by Consumers Energy Co [25-1] with exhibits and proof of mailing (ew) (Entered: 02/22/1999)
02/24/1999	40	THIRD AMENDED WITNESS list by defendant Consumers Energy Co, with proof of service (RH) (Entered: 02/24/1999)
03/01/1999	43	NOTICE by defendant Consumers Energy Co of taking deposition of each claimant in plaintiff's class pursuant to FRCP 26 and 30 on with exhibit "A" and proof of mailing (lh) (Entered: 03/01/1999)

03/02/1999		MOTION hearing adjourned on motion to comply by Consumers Energy Co [25-1] to 2:00 3/9/99, motion to compel discovery by EEOC [34-1] to 2:00 3/9/99 - Magistrate Judge Donald A. Scheer (RJ) (Entered: 03/02/1999)
03/04/1999	44	PROOF of mailing of second supplemental answers to interrogatories and request for production (lh) (Entered: 03/04/1999)
03/04/1999	45	NOTICE by defendant Consumers Energy Co of taking deposition of Debra Busard 3/10/99 @ 9:30 am, Laura Bowen Bemis on 3/10/99 @ 1:30 pm, Rose Slobadian on 3/11/99 @ 9:30 am and Vicki Johnson Crilly on 3/11/99 @ 1:30 pm with proof of mailing (lh) (Entered: 03/04/1999)
03/09/1999		MOTION hearing held on motion to comply by Consumers Energy Co [25-1] - disposition: motion granted - Magistrate Judge Donald A. Scheer - Tape #DAS 99-030 (RJ) (Entered: 03/10/1999)
03/09/1999		MOTION hearing held on motion to compel discovery by EEOC [34-1] - disposition: motion taken under advisement - Magistrate Judge Donald A. Scheer - Tape #DAS 99-030 (RJ) (Entered: 03/10/1999)
03/09/1999	46	THIRD amended witness list by defendant with proof of mailing (ls) (Entered: 03/10/1999)
03/11/1999	47	ORDER by Magistrate Judge Donald A. Scheer that defendant shall submit the September 29, 1997, letter from Dr. Richard Riley to counsel for defendant (ls) (Entered: 03/12/1999)
03/11/1999	48	ORDER by Magistrate Judge Donald A. Scheer granting motion to comply by Consumers Energy Co [25-1] (ls) (Entered: 03/12/1999)
03/15/1999	49	FIFTH amended witness list by defendant, with proof of mailing. (PP) (Entered: 03/16/1999)
03/16/1999	50	TRANSCRIPT taken on 3/9/99 of discovery motions (ew) (Entered: 03/18/1999)
03/17/1999	51	ORDER by Magistrate Judge Donald A. Scheer denying motion to compel evidence by EEOC [34-1] (ew) (Entered: 03/18/1999)
03/19/1999		SCHEDULING conference held - Judge Arthur J. Tarnow (tt) (Entered: 03/19/1999)
03/19/1999	52	PRETRIAL scheduling order by Judge Arthur J. Tarnow - setting deadline for discovery for 7/31/99 , setting deadline for filing motions for 6/30/99 , setting deadline for witness list for 5/30/99 , setting deadline for filing dispositive motions for 9/30/99 , setting final pretrial conference for 2:30 pm on 10/19/99 , setting deadline for final pretrial order for 10/12/99 , setting settlement for 2:30 pm 10/19/99 and setting civil jury trial for OCT/DEC 1999 (DT) (Entered: 03/22/1999)
03/23/1999	53	CONSENT ORDER by Judge Arthur J. Tarnow regarding notice to potential claimants (DT) (Entered: 03/24/1999)
03/25/1999	54	PROOF of mailing by defendant of consent order regarding notice to potential claimants (DT) (Entered: 03/26/1999)

03/25/1999	55	PROOF of mailing by defendant Consumers Energy Co of fourth request for production of documents (DT) (Entered: 03/26/1999)
03/30/1999	56	APPEARANCE for plaintiff of attorney Stanley H. Pitts, with proof of mailing. (PP) (Entered: 03/31/1999)
03/30/1999	57	STIPULATION by plaintiff regarding compliance with Magistrate Judge's March 9, 1999 order (PP) (Entered: 03/31/1999)
04/09/1999	58	PROOF of mailing of plaintiff's supplemental answers to defendant's second set of interrogatories and related requests to produce (ls) (Entered: 04/13/1999)
04/12/1999	59	PROOF of mailing of defendant's fifth request for production of documents and third set of interrogatories (ls) (Entered: 04/13/1999)
05/07/1999	60	PROOF of mailing defendant Consumers Energy's sixth request for production of documents; and third set of interrogatories to plaintiff (ew) (Entered: 05/11/1999)
05/12/1999	61	PROOF of mailing of EEOC's answers to defendant's fourth request for production of documents (ew) (Entered: 05/13/1999)
05/14/1999	62	PROOF of mailing by defendant of seventh request for production of documents. (PP) (Entered: 05/17/1999)
05/19/1999	64	PROOF of mailing by plaintiff EEOC of copy answer's to defendant's fifth request for production of documents (lh) (Entered: 05/25/1999)
05/20/1999	63	PROOF of mailing by defendant of responses to plaintiff's fourth set of requests for production of documents. (PP) (Entered: 05/21/1999)
05/28/1999	65	WITNESS list by defendant Consumers Energy Co (pursuant to the most recent pretrial order) with proof of mailing (lh) (Entered: 06/01/1999)
05/28/1999	66	PROOF of mailing of defendant Consumers Energy Company's supplemental answer to plaintiff's fourth set of requests for production of documents (lh) (Entered: 06/01/1999)
06/01/1999	67	PROOF of mailing of copy of defendant Consumers Energy Company's Fourth Set of Interrogatories ro plaintiff (lh) (Entered: 06/02/1999)
06/04/1999	68	OBJECTIONS by defendant Consumers Energy Co to EEOC's attempt to represent untimely and ineligible claims with attachments and proof of mailing (lh) (Entered: 06/07/1999)
06/11/1999	69	NOTICE by defendant Consumers Energy Co of taking deposition duces tecum of designated person @ 10:00am on 07/08/99 with Attachment A and proof of service (bk) (Entered: 06/14/1999)
06/18/1999	70	SIXTH amended witness list by defendant Consumers Energy Co with proof of mailing (lh) (Entered: 06/21/1999)
06/23/1999	71	PROOF of mailing of defendant Consumers Energy Company's second supplemental response to plaintiff's fourth set of requests for production of documents (lh) (Entered: 06/24/1999)
06/30/1999	72	MOTION by defendant to compel designation of deponent , and production of documents with brief, notice of hearing, exhibits and proof of mailing (ls)

		(Entered: 07/02/1999)
07/01/1999	73	ORDER by Judge Arthur J. Tarnow referring motion to compel designation of deponent and motion production of documents by Consumers Energy Co [72-2] to Magistrate Judge Donald A. Scheer , for hearing and determination with proof of mailing [EOD Date 7/2/99] (ls) (Entered: 07/02/1999)
07/02/1999	74	MOTION by plaintiff EEOC for protective order with brief, exhibits 1-8 and proof of mailing (RH) (Entered: 07/06/1999)
07/02/1999	75	NOTICE of taking depositions duces tecum of certain parties (see notice) , with proof of mailing (RH) (Entered: 07/06/1999)
07/06/1999	76	NOTICE by the Court setting hearing on motion to compel designation of deponent by Consumers Energy Co [72-1] for 2:00 8/3/99 (RH) (Entered: 07/07/1999)
07/07/1999	77	ORDER by Judge Arthur J. Tarnow, referring motion for protective order by EEOC [74-1] to Magistrate Judge Donald A. Scheer , for hearing and determination [EOD Date 7/8/99] (RH) (Entered: 07/08/1999)
07/12/1999	78	PROOF of mailing of copies of subpoenas directed to deponents (list included) (lh) (Entered: 07/13/1999)
07/13/1999	79	NOTICE by the Court setting hearing on motion for protective order by EEOC [74-1] for 2:00 8/3/99 (RH) (Entered: 07/14/1999)
07/14/1999	80	ORDER by Judge Arthur J. Tarnow with stipulation regarding class claimants and discovery matters [EOD Date: 7/15/99] (DT) (Entered: 07/15/1999)
07/19/1999	81	RESPONSE by plaintiff EEOC to motion to compel designation of deponent [72-1], motion of documents by Consumers Energy Co [72-2] with exhibits (ew) (Entered: 07/20/1999)
07/19/1999	82	RESPONSE by defendant Consumers Energy Co to motion for protective order by EEOC [74-1] with attachments (ew) (Entered: 07/20/1999)
07/19/1999	83	PROOF of mailing of order regarding class claimants and discovery matters (ew) (Entered: 07/20/1999)
07/20/1999	84	PROOFS of mailing of plaintiff EEOC supplemental answer to defendant's sixth request for production of documents (ew) Modified on 07/21/1999 (Entered: 07/21/1999)
07/23/1999	85	NOTICE by defendant Consumers Energy Co of taking deposition duces tecum of Kimberly Conklin (fka Kimberly Moore) on 7/30/99 @ 9:30 (lh) (Entered: 07/28/1999)
07/27/1999	86	PROOF of mailing of plaintiff EEOC's third Supplemental answer to defendant's sixth request for production of documents (lh) (Entered: 07/28/1999)
07/29/1999	87	PROOF of mailing of plaintiff's notice of depositions (ls) (Entered: 07/30/1999)
08/02/1999	88	PROOF of mailing by defendant Consumers Energy Co of Responses to plaintiff's Second Set of Requests for Admissions and Fifth Set of Requests for Production of Documents (bk) (Entered: 08/03/1999)

08/03/1999		MOTION hearing held on motion for protective order by EEOC [74-1], motion to compel designation of deponent by Consumers Energy Co [72-1], motion production of documents by Consumers Energy Co [72-2] - disposition: motions taken under advisement - Magistrate Judge Donald A. Scheer - Court Reporter: Tape #DAS 99-106 (RJ) (Entered: 08/04/1999)
08/04/1999	89	PROOF of mailing by plaintiff EEOC of Fourth Supplemental Answer to defendant's Sixth Request for Production of Documents (bk) (Entered: 08/05/1999)
08/05/1999	90	SUPPLEMENTAL brief by defendant Consumers Energy Co in opposition to Motion for Protective Order by EEOC [74-1] with proof of service (bk) (Entered: 08/06/1999)
08/10/1999	91	TRANSCRIPT taken on 8/3/99 of motion hearing (RH) (Entered: 08/11/1999)
08/13/1999	92	ORDER by Magistrate Judge Donald A. Scheer denying motion for protective order by EEOC [74-1], granting motion to compel designation of deponent by Consumers Energy Co [72-1], granting motion production of documents by Consumers Energy Co [72-2] [EOD Date 8/17/99] (ew) (Entered: 08/17/1999)
09/02/1999	93	OBJECTIONS by plaintiff EEOC to Magistrate Judge Scheer's order 8/13/99 [92-1] with exhibits (DT) (Entered: 09/03/1999)
09/03/1999	94	PROOF of mailing by plaintiff of objections to Magistrate's Order. (PP) (Entered: 09/07/1999)
09/24/1999	95	ORDER by Judge Arthur J. Tarnow, amd amending , obj setting deadline for response to objection by EEOC [93-1] for 10/14/99 , setting deadline for filing dispositive motions for 10/21/99 , setting settlement conference for 10/19/99 [EOD Date 9/27/99] (RH) (Entered: 09/27/1999)
09/28/1999	96	PROOF of mailing of order amending scheduling order (RH) (Entered: 09/29/1999)
09/30/1999		SCHEDULE: by Judge Arthur J. Tarnow (tt) (Entered: 09/30/1999)
10/13/1999	97	RESPONSE BRIEF by defendant Consumers Energy Co to EEOC's objections to Magistrate's Order [93-1] with attachments and proof of mailing (DT) (Entered: 10/14/1999)
10/15/1999	98	MOTION by defendant Consumers Energy Co to extend time for filing dispositive motions 15 days after the deadline set for completion of remaining depositions with brief, notice of hearing for a date/time to be set and proof of mailing (bk) (Entered: 10/18/1999)
10/19/1999		SETTLEMENT conference held and case is settled, order to be presented within two weeks. - Judge Arthur J. Tarnow (tt) (Entered: 10/20/1999)
01/19/2000	99	NOTICE by court of setting civil status conference for 3:30 1/28/00 with certificate of mailing (bk) (Entered: 01/20/2000)
01/28/2000		STATUS conference held - Judge Arthur J. Tarnow (tt) (Entered: 02/02/2000)
02/28/2000	100	ORDER by Judge Arthur J. Tarnow with stipulation, depositing funds in the amount of \$220,000.00 by defendant Consumers Energy Co into an interest

		bearing account [EOD Date: 2/29/00] (ls) (Entered: 02/29/2000)
03/02/2000	101	PROOF of mailing by defendant of notice of deposit of funds to Court in compliance with order dated 2/28/00, stipulated order directing deposit of funds in interest bearing account. (PP) (Entered: 03/03/2000)
06/15/2000	102	STIPULATION by defendant Consumers Energy Co, plaintiff EEOC regarding Notice to Potential Claimants with exhibits [EOD Date: 6/20/00] (bk) (Entered: 06/20/2000)
06/15/2000	103	ORDER by Judge Arthur J. Tarnow, barring Title VII claims by individuals who failed to timely return executed Claimant Identification Forms, to Intervene, or to File a Charge with exhibits [EOD Date 6/20/00] (bk) (Entered: 06/20/2000)
06/21/2000	104	PROOF of mailing of order barring Title VII claims by individuals who failed to timely return executed claimant identification forms, to intervene, or to file a charge (ls) (Entered: 06/21/2000)
03/29/2001	105	CONSENT decree entered by Judge Arthur J. Tarnow [EOD Date: 4/2/01], with attachments. (PP) (Entered: 04/02/2001)
03/29/2001	106	ORDER by Judge Arthur J. Tarnow with stipulation, distributing funds in the amount of \$ 220,000 [EOD Date: 4/2/01], with attachment. (PP) (Entered: 04/02/2001)

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