

CLOSED, DAS

**U.S. District Court  
Eastern District of Michigan (Detroit)  
CIVIL DOCKET FOR CASE #: 2:98-cv-74231-BAF**

EEOC v. Elias Bros Restr Inc  
Assigned to: Judge Bernard A Friedman  
Demand: \$0

Date Filed: 09/30/1998  
Date Terminated: 03/31/2000  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Adele Rapport**  
Equal Employment Opportunity  
Commission  
477 Michigan Avenue  
Room 865  
Detroit, MI 48226  
313-226-5670  
Email: Adele.Rapport@eeoc.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Robert K. Dawkins**  
Equal Employment Opportunities  
Commission  
477 Michigan Avenue  
Suite 865  
Detroit, MI 48226  
313-226-4600  
Fax: 313-226-2778  
Email: robert.dawkins@eeoc.gov  
**TERMINATED: 05/05/1999**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Elias Brothers Restaurants,  
Incorporated**  
*Doing business as*  
Big Boy Restaurant, Westland

represented by **Geno D. Salomone**  
33900 Schoolcraft  
Livonia, MI 48150  
734-261-2400  
Fax: 734-261-2400  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Movant****Amy Bowman**

represented by **Matthew L. Turner**  
 Turner & Turner  
 26000 W. Twelve Mile Road  
 Southfield, MI 48034  
 248-355-1727  
 Fax: 248-355-5674  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor****Amy Bowan**

represented by **Matthew L. Turner**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/30/1998	1	COMPLAINT with jury demand - Receipt # USA (dp) (Entered: 10/01/1998)
10/09/1998	2	AMENDED complaint 1 by plaintiff with jury demand (LS) (Entered: 10/14/1998)
10/27/1998	3	ANSWER by defendant Elias Bros Restr Inc to complaint [1-1] (lg) (Entered: 10/30/1998)
10/27/1998	4	AFFIRMATIVE defenses by defendant Elias Bros Restr Inc (lg) (Entered: 10/30/1998)
10/27/1998	5	PROOF of mailing of defendant's answer to complaint, affirmative defenses (lg) (Entered: 10/30/1998)
11/09/1998	6	MOTION by Amy Bowman to intervene with brief (LS) (Entered: 11/09/1998)
11/09/1998	7	MOTION by Amy Bowman to intervene with brief (dp) (Entered: 11/10/1998)
11/10/1998	8	ORDER by Judge Bernard A. Friedman, referring motion to intervene by Amy Bowman [6-1] to Magistrate Judge Donald Scheer for hearing and determination (lg) (Entered: 11/13/1998)
11/18/1998	9	NOTICE by court of hearing on motion to intervene by Amy Bowman [6-1] set for 2:00 12/9/98, motion to intervene by Amy Bowman [7-1] set for 2:00 12/9/98 (kg) (Entered: 11/19/1998)
11/23/1998	10	NOTICE by the court of a scheduling conference set for 10:00 12/10/98 (LS) (Entered: 11/24/1998)
12/09/1998		MOTION hearing held on motion to intervene by Amy Bowman [6-1], motion to intervene by Amy Bowman [7-1] - disposition: motion granted - Magistrate

		Judge Donald A. Scheer - Tape #DAS 98-161 (RJ) (Entered: 12/09/1998)
12/10/1998	11	PRETRIAL scheduling order by Judge Bernard A. Friedman - deadline for witness list set for 3/10/99 , deadline for discovery set for 5/10/99 , deadline for mediation referral set for 5/10/99 , deadline for filing motions set for 6/10/99 , final pretrial conference set for 2:30 9/29/99 , civil jury trial set for 9:00 10/5/99 (kg) (Entered: 12/11/1998)
12/10/1998		SCHEDULING conference held - Judge Bernard A. Friedman (cd) (Entered: 12/16/1998)
12/15/1998	12	ORDER by Magistrate Judge Donald A. Scheer granting motion to intervene by Amy Bowman [6-1] (lg) (Entered: 12/16/1998)
12/28/1998	13	INTERVENOR'S complaint by Amy Bowan against defendant Elias Bros Restr Inc with proof of mailing and jury demand (lg) (Entered: 12/30/1998)
01/19/1999	14	ANSWER by defendant Elias Bros Restr Inc to intervenor complaint [13-1] with proof of mailing (nh) (Entered: 01/20/1999)
01/19/1999	15	AFFIRMATIVE defenses by defendant Elias Bros Restr Inc with proof of mailing (nh) (Entered: 01/20/1999)
01/20/1999	16	PROOF of mailing by intervenor Amy Bowan of answer to defendant's interrogatories and reply to defendant's first request for production of documents to plaintiff (cm) (Entered: 01/21/1999)
02/05/1999	17	PROOF of mailing of answers to interrogatories. (cf) (Entered: 02/10/1999)
02/09/1999	18	RESPONSE by plaintiff EEOC to affirmative defenses by Elias Bros Restr Inc [15-1] with proof of mailing (kg) (Entered: 02/10/1999)
03/10/1999	19	WITNESS list by intervening plaintiff EEOC with proof of mailing (nh) Modified on 03/11/1999 (Entered: 03/11/1999)
03/10/1999	20	WITNESS list by defendant Elias Bros Restr Inc with proof of mailing (nh) (Entered: 03/11/1999)
03/15/1999	21	WITNESS list by plaintiff EEOC with proof of mailing. (cf) (Entered: 03/15/1999)
04/15/1999	22	MOTION by intervenor Amy Bowan to compel discovery and to extend dates in scheduling order by 90 days with brief, attachments 1-8, notice of hearing and proof of mailing (dp) (Entered: 04/15/1999)
04/26/1999	23	NOTICE by Judge Bernard Friedman of setting hearing on motion to compel discovery by [22-1] and motion to extend dates in scheduling order by 90 days by Amy Bowan [22-2] for 2:00 on 5/5/99 with proof of mailing (dp) (Entered: 04/27/1999)
04/27/1999	24	RESPONSE by defendant Elias Bros Restr Inc to motion to compel discovery by Amy Bowan [22-1], and motion to extend in scheduling order by 90 days by Amy Bowan [22-2] with brief and proof of mailing (nh) (Entered: 04/28/1999)
05/04/1999	25	NOTICE by plaintiff EEOC of taking depositions of Andy Abouselah at 10:00 am and Sam Dubaneh at 2:00 pm on 5/6/99; Jan Ferguson at 10:00 am and Sue Stenseng at 2:00 pm on 5/7/99 with proof of mailing (nh) (Entered: 05/05/1999)

05/05/1999	26	SUBSTITUTION for plaintiff of attorney Adele Rapport in place of attorney Robert K. Dawkins with proof of mailing (LS) (Entered: 05/06/1999)
05/05/1999		MOTION hearing held on motion to extend dates in scheduling order by 90 days by Amy Bowan [22-2] - disposition: grant - Judge Bernard A. Friedman - Court Reporter: Joan Morgan (cd) (Entered: 05/10/1999)
05/07/1999	27	PRETRIAL scheduling order (amended) by Judge Bernard A. Friedman - setting deadline for witness list for 8/6/99 , setting deadline for discovery for 10/8/99 , setting deadline for mediation referral for 10/8/99 , setting deadline for filing motions for 11/5/99 , setting final pretrial conference for 3:00 2/28/00 , setting civil jury trial for 9:00 3/7/00 . (cf) (Entered: 05/10/1999)
05/07/1999	28	ORDER by Judge Bernard A. Friedman mooting motion to compel discovery by Amy Bowan [22-1], and granting motion to extend dates in scheduling order by 90 days by Amy Bowan [22-2] with proof of mailing. (cf) (Entered: 05/10/1999)
05/11/1999	29	NOTICE by EEOC of taking deposition of Jan Ferguson 5/24/99 at 1:30 p.m. , taking deposition of Sue Stenseng 5/24/99 at 3:30 p.m. , taking deposition of Andy Absaleh 5/25/99 at 10:00 a.m. , and taking deposition of Sam Dabaneh 5/25/99 at 2:00 p.m. with proof of mailing. (cf) (Entered: 05/12/1999)
05/25/1999	30	PROOF of mailing by defendant Elias Bros Restr Inc of answers to intervening plaintiff's first set of interrogatories, first request for production of documents and things and answers to plaintiff's affirmative defense interrogatories (dh) (Entered: 05/26/1999)
05/25/1999	31	PROOF of mailing by defendant Elias Bros Restr Inc of answers to plaintiff EEOC's first set of interrogatories and request for produciton of documents (dh) (Entered: 05/26/1999)
07/14/1999	32	PROOF of mailing of plaintiff's Equal Employment Opportunity Commission's first set of requests for admissions (lg) (Entered: 07/15/1999)
08/11/1999	33	PROOF of mailing by plaintiff EEOC of notice of depositions (dh) (Entered: 08/12/1999)
08/18/1999	34	PROOF of mailing by plaintiff EEOC of re-notice of deposition of Sue Stenseng (dh) (Entered: 08/19/1999)
08/19/1999	35	PROOF of mailing of notice of deposition of intervening plaintiff. (cf) (Entered: 08/20/1999)
08/27/1999	36	PROOF of mailing of plaintiff's re-notice of taking deposition of Jan Ferguson (nh) (Entered: 08/30/1999)
08/30/1999	37	PROOF of mailing of re-notice of taking deposition of intervening plaintiff (nh) (Entered: 08/31/1999)
09/02/1999	38	PROOF of mailing of request for production of documents to intervening plaintiff, and notice to independent Medical Examination with Dr. Leonard Sahn (nh) (Entered: 09/03/1999)
09/08/1999	40	PROOF of mailing by defendant Elias Bros Restr Inc of request for production of documents to plaintiff EEOC, subpoena and notice of records deposition for Target Store, notice of Independent Medical Examination with Sue Ellen Jurcak

		(dh) (Entered: 09/09/1999)
09/08/1999	41	PROOF of mailing by plaintiff EEOC of notice of depositions (dh) (Entered: 09/09/1999)
09/08/1999	42	PROOF of mailing by plaintiff EEOC of second set of interrogatories and request for production of documents (dh) (Entered: 09/09/1999)
09/09/1999	39	WITNESS list (supplemental) by Amy Bowan with proof of mailing. (cf) (Entered: 09/09/1999)
09/13/1999	43	PROOF of mailing by defendant of response to plaintiff's first set of requests for admission (LS) (Entered: 09/14/1999)
09/14/1999	44	PROOF of mailing by EEOC of notice of deposition (kg) (Entered: 09/15/1999)
09/30/1999	45	PROOF of mailing of request for admissions (lg) (Entered: 10/01/1999)
10/06/1999	46	PROOF of mailing by plaintiff of notice of deposition (LS) (Entered: 10/07/1999)
11/02/1999	47	ORDER by Judge Bernard A. Friedman, of referral to Mediation Tribunal Association [EOD Date 11/3/99] (kg) (Entered: 11/03/1999)
11/04/1999	48	PROOF of mailing by defendant of request for production of documents (kg) (Entered: 11/05/1999)
11/05/1999	49	MOTION by defendant Elias Bros Restr Inc for summary judgment with brief, attachments 1-9, notice of hearing and proof of mailing (cm) (Entered: 11/08/1999)
11/08/1999	50	NOTICE by the court of setting hearing on motion for summary judgment by Elias Bros Restr Inc [49-1] for 2:00 1/19/00 , and setting deadline for response to motion for 12/6/99 with proof of mailing (cm) (Entered: 11/09/1999)
11/16/1999	51	STIPULATION and agreement by defendant Elias Bros Restr Inc and plaintiff EEOC that defendant will provide complete responses to the Commission's second set of interrogatories and request for production of documents to defendant by 11/18/99. [EOD Date: 11/17/99] (cf) (Entered: 11/17/1999)
11/23/1999	52	MOTION by intervenor Amy Bowan to compel discovery with brief, notice of hearing, exhibits and proof of mailing (lg) (Entered: 11/24/1999)
11/24/1999	53	ORDER by Judge Bernard A. Friedman, referring motion to compel discovery by Amy Bowan [52-1] to Magistrate Judge Donald A. Scheer for hearing and determination [EOD Date 11/29/99] (lg) (Entered: 11/29/1999)
12/06/1999	54	RESPONSE by defendant Elias Bros Restr Inc to motion to compel discovery by Amy Bowan [52-1] with brief and proof of mailing (kg) (Entered: 12/07/1999)
12/09/1999	55	NOTICE by court of setting hearing on motion to compel discovery by Amy Bowan [52-1] for 2:00 12/21/99 with proof of mailing (kg) (Entered: 12/10/1999)
12/09/1999	56	PROOF of mailing of answers to discovery (kg) (Entered: 12/10/1999)
12/13/1999	57	RESPONSE by plaintiff EEOC to motion for summary judgment by Elias Bros Restr Inc [49-1] with brief, exhibits and proof of mailing. (cf) (Entered: 12/13/1999)

		12/14/1999)
12/13/1999	58	RESPONSE by intervenor Amy Bowan to motion for summary judgment by Elias Bros Restr Inc [49-1] and concurrence in plaintiff EEOC response to defendant's motion for summary judgment (document #57) with proof of mailing. (cf) (Entered: 12/14/1999)
12/21/1999		MOTION hearing adjourned on motion to compel discovery by Amy Bowan [52-1] to 2:00 1/13/00 - Magistrate Judge Donald A. Scheer (RJ) (Entered: 12/27/1999)
12/22/1999	59	APPEARANCE for plaintiff EEOC of attorney Tammy C. Klein (60256), 477 Michigan Avenue, Detroit, MI 48226, 313-226-5673. (Note: Given to Attorney Roll Clerk.) (cf) (Entered: 12/23/1999)
12/23/1999	60	REPLY brief by defendant Elias Bros Restr Inc to response (document #57) to motion for summary judgment by Elias Bros Restr Inc [49-1] with exhibits and proof of mailing. (cf) (Entered: 12/27/1999)
01/12/2000	61	PROOF of mailing of plaintiff's notice of appearance (lg) (Entered: 01/13/2000)
01/13/2000		MOTION hearing held on motion to compel discovery by Amy Bowan [52-1] - disposition: motion denied - Magistrate Judge Donald A. Scheer - Tape DAS 00-010 (RJ) (Entered: 01/13/2000)
01/20/2000	62	PROOF of mailing by plaintiff of plaintiff's notice of deposition (LS) (Entered: 01/21/2000)
01/27/2000	63	MEMORANDUM opinion and order by Judge Bernard A. Friedman denying motion for summary judgment by Elias Bros Restr Inc [49-1] with proof of mailing [EOD Date: 1/28/00] (LS) (Entered: 01/28/2000)
02/04/2000	64	PROOF of mailing by defendant of correct copies (kg) (Entered: 02/07/2000)
02/22/2000	65	PROOF of mailing of re-notice of taking de bene esse video deposition of Dr. Lawrence M. Eilender, M.D. (lg) (Entered: 02/23/2000)
02/22/2000	66	PROOF of mailing of plaintiff Equal Employment Opportunity commission's notice of depositions (lg) (Entered: 02/23/2000)
03/01/2000	67	MOTION by intervenor Amy Bowan to amend complaint to add Ansara Corporation as a party defendant [1-1] and in limine to allow consideration of the number of employees and profit analysis of all restaurants managed by the Ansara Corporation for the purpose of punitive damages with brief, attachments 1-5, proof of mailing (dh) (Entered: 03/02/2000)
03/09/2000	68	PROOF of mailing by plaintiff of re-notice of deposition (LS) (Entered: 03/10/2000)
03/16/2000	<a href="#">69</a>	RESPONSE by defendant Elias Bros Restr Inc to motion to amend complaint to add Ansara Corporation as a party defendant [1-1] [67-1] and motion in limine to allow consideration of the number of employees and profit analysis of all restaurants managed by the Ansara Corporation for the purpose of punitive damages by Amy Bowan [67-2] with brief, attachment and proof of mailing (kg) (Entered: 03/17/2000)

03/27/2000		SETTLEMENT conference held - Judge Bernard A. Friedman (cd) (Entered: 03/27/2000)
03/30/2000	70	PROOF of mailing by plaintiff EEOC of re-notice of deposition (dh) (Entered: 03/31/2000)
03/31/2000	<a href="#">71</a>	ORDER by Judge Bernard A. Friedman that case is dismissed with prejudice; with proof of mailing [EOD Date: 4/3/00] (nh) (Entered: 04/03/2000)
07/25/2000	<a href="#">72</a>	CONSENT decree entered by Judge Bernard A. Friedman; with attachment A [EOD Date: 7/26/00] (dp) (Entered: 07/26/2000)

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