

CLOSED, VFM

**United States District Court  
Western District of Michigan (Southern Division (1))  
CIVIL DOCKET FOR CASE #: 1:05-cv-00153-RHB**

Equal Employment Opportunity Commission v. Five Cap, Inc.  
Assigned to: Chief Judge Robert Holmes Bell  
Cause: 28:451 Employment Discrimination

Date Filed: 02/28/2005  
Date Terminated: 11/13/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Adele Rapport**

U.S. Equal Employment Opportunity  
Commission (MI)  
865 Patrick V. McNamara Bldg.  
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(313) 226-6701  
Email: [adele.rapport@eeoc.gov](mailto:adele.rapport@eeoc.gov)  
*TERMINATED: 06/07/2006*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Trina R. Mengesha**

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**Omar Weaver**

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V.

**defendant****Five Cap, Inc.**represented by **Richard D. McNulty**

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 Lansing, MI 48933  
 (517) 372-9000  
 Email: rmcnulty@cstmlaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**mediator****Facilitative Mediator**represented by **Jon G. March**

Miller Johnson PLC (Grand Rapids)  
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 P.O. Box 306  
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**LEAD ATTORNEY**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
02/28/2005	<a href="#"><u>1</u></a>	COMPLAINT <i>with jury demand</i> against Five Cap, Inc. filed by Equal Employment Opportunity Commission (cmi, ) (Entered: 03/02/2005)
02/28/2005		SUMMONS ISSUED as to Five Cap, Inc. (cmi, ) (Entered: 03/02/2005)
03/17/2005	<a href="#"><u>2</u></a>	ANSWER to complaint <i>and Affirmative Defenses</i> by Five Cap, Inc. (McNulty, Richard) (Entered: 03/17/2005)
03/24/2005	<a href="#"><u>3</u></a>	ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 4/12/2005 at 04:00 PM at Lansing, MI before Judge David W. McKeague; status report due by 4/7/2005 ; signed by Judge David W. McKeague (Judge David W. McKeague, bsd) (Entered: 03/24/2005)
04/07/2005	<a href="#"><u>4</u></a>	JOINT STATUS REPORT submitted for filing by plaintiff Equal Employment Opportunity Commission and defendant Five Cap, Inc. (McNulty, Richard) Modified on 4/8/2005 to add pltf filer (pjl) (Entered: 04/07/2005)
04/12/2005	<a href="#"><u>5</u></a>	MINUTES of scheduling conference held before Judge David W. McKeague (Judge David W. McKeague, bsd) (Entered: 04/13/2005)
04/13/2005	<a href="#"><u>6</u></a>	CASE MANAGEMENT ORDER: jury trial set for March, 2006, trial docket at Lansing, MI before Judge David W. McKeague; settlement conference set for 1/10/2006 at 09:30 AM at Grand Rapids, MI before Magistrate Judge Joseph G. Scoville; final pretrial conference set for 2/6/2006 at 11:00 AM at Lansing, MI before Judge David W. McKeague; ; signed by Judge David W. McKeague (Judge David W. McKeague, bsd) (Entered: 04/13/2005)

05/24/2005	<a href="#">7</a>	CERTIFICATE OF SERVICE by defendant Five Cap, Inc. <i>re: Defendant's Initial Disclosures</i> (McNulty, Richard) (Entered: 05/24/2005)
05/25/2005	<a href="#">8</a>	CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>Rule 26 disclosures</i> (Mengesha, Trina) (Entered: 05/25/2005)
06/20/2005	<a href="#">9</a>	ORDER referring case to VOLUNTARY FACILITATIVE MEDIATION: Facilitative Mediator rep by Jon G. March added; plaintiff VFM fee to be submitted by 7/5/2005; defendant VFM fee to be submitted by 7/5/2005 ; signed by Judge David W. McKeague (Judge David W. McKeague, bsd) (Entered: 06/20/2005)
06/30/2005		VFM FEE RECEIVED in the amount of \$25.00, check number 15198 for payment of Defendant Five Cap, Inc.'s VFM fee (ADR Administrator, mjs) (Entered: 06/30/2005)
08/01/2005		VFM FEE RECEIVED in the amount of \$25.00, check number 168 for payment of Plaintiff Equal Employment Opportunity Commission's VFM fee (ADR Administrator, mjs) (Entered: 08/01/2005)
10/03/2005	<a href="#">10</a>	ATTORNEY APPEARANCE of Omar Weaver on behalf of plaintiff Equal Employment Opportunity Commission (Weaver, Omar) (Entered: 10/03/2005)
11/22/2005	<a href="#">11</a>	PROPOSED STIPULATION and ORDER <i>Extending Discovery and Other Deadlines</i> by defendant Five Cap, Inc. (McNulty, Richard) (Entered: 11/22/2005)
11/22/2005	<a href="#">12</a>	ORDER granting STIPULATION <a href="#">11</a> EXTENDING DEADLINES; signed by Magistrate Judge Joseph G. Scoville (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 11/22/2005)
12/05/2005	<a href="#">13</a>	ADMINISTRATIVE ORDER No. 05-158 that this case is reassigned to Chief Judge Robert Holmes Bell for all further proceedings; signed by Chief Judge Robert Holmes Bell (gjf) Modified text on 12/9/2005 (mbb, ). (Entered: 12/06/2005)
12/09/2005	<a href="#">14</a>	NOTICE rescheduling hearing that was previously set for 1/10/06; settlement conference rescheduled for 6/29/2006 at 09:30 AM at 685 Federal Building, Grand Rapids, MI before Magistrate Judge Joseph G. Scoville; (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 12/09/2005)
02/01/2006	<a href="#">15</a>	ORDER SETTING FINAL PRETRIAL AND JURY TRIAL: Jury trial set for 8/28/2006 at 9:00 am before Chief Judge Robert Holmes Bell, 601 Ford Federal Building, 110 Michigan St., NW, Grand Rapids, MI; Final Pretrial Conference set for 8/21/2006 at 1:30 pm before Chief Judge Robert Holmes Bell, 601 Ford Federal Building, 110 Michigan St., NW, Grand Rapids, MI; signed by Chief Judge Robert Holmes Bell (Chief Judge Robert Holmes Bell, ymc) (Entered: 02/01/2006)
03/14/2006	<a href="#">16</a>	PROPOSED STIPULATION and ORDER <i>Extending Discovery And Other Deadlines</i> by defendant Five Cap, Inc. (McNulty, Richard) (Entered: 03/14/2006)
04/11/2006	<a href="#">17</a>	AMENDED CASE MANAGEMENT ORDER: jury trial set for 9/18/2006 at 9:00 AM at 601 Federal Building, Grand Rapids, MI before Chief Judge Robert Holmes Bell; settlement conference set for 8/15/2006 at 9:30 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Joseph G. Scoville; final

		pretrial conference set for 9/8/2006 at 1:00 PM at 601 Federal Building, Grand Rapids, MI before Chief Judge Robert Holmes Bell; signed by Chief Judge Robert Holmes Bell (Chief Judge Robert Holmes Bell, ymc) (Entered: 04/11/2006)
05/30/2006	<a href="#">18</a>	PROPOSED STIPULATION and ORDER <i>Extending, By Seven Days Only, the Deadlines To File and Respond To Dispositive Motions</i> by defendant Five Cap, Inc. (McNulty, Richard) (Entered: 05/30/2006)
06/01/2006	<a href="#">19</a>	ORDER granting STIPULATION <a href="#">18</a> extending, by 7 days, the deadline to file and respond to dispositive motions; signed by Chief Judge Robert Holmes Bell (Chief Judge Robert Holmes Bell, ymc) (Entered: 06/01/2006)
06/07/2006	<a href="#">20</a>	NOTICE of <i>Withdrawal of Counsel</i> by plaintiff Equal Employment Opportunity Commission (Rapport, Adele) (Entered: 06/07/2006)
06/08/2006	<a href="#">21</a>	PROPOSED STIPULATION and ORDER <i>To Adjourn Pending Approval Of Settlement By The Bankruptcy Court</i> by defendant Five Cap, Inc. (McNulty, Richard) (Entered: 06/08/2006)
06/16/2006	<a href="#">22</a>	ORDER granting STIPULATION <a href="#">21</a> and adjourning settlement conference, final pretrial and trial; signed by Chief Judge Robert Holmes Bell (Chief Judge Robert Holmes Bell, sdb) (Entered: 06/16/2006)
08/18/2006	<a href="#">23</a>	LETTER from Richard D. McNulty for defendant Five Cap, Inc. regarding Status Of Case Settlement (McNulty, Richard) (Entered: 08/18/2006)
11/09/2006	<a href="#">24</a>	PROPOSED CONSENT DECREE by plaintiff Equal Employment Opportunity Commission (Mengesha, Trina) (Entered: 11/09/2006)
11/13/2006	<a href="#">25</a>	ORDER granting consent decree <a href="#">24</a> ; signed by Chief Judge Robert Holmes Bell (Chief Judge Robert Holmes Bell, ymc) (Entered: 11/13/2006)

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