

CLOSED, VFM

**United States District Court**  
**Western District of Michigan (Southern Division (1))**  
**CIVIL DOCKET FOR CASE #: 1:03-cv-00442-RAE**

Equal Employment Opportunity Commission v. Pascal, Co. Inc.  
Assigned to: Senior Judge Richard Alan Enslin  
Cause: 28:451 Employment Discrimination

Date Filed: 07/03/2003  
Date Terminated: 06/21/2004  
Jury Demand: Both  
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)  
Patrick V. McNamara Bldg.  
477 Michigan Ave., Rm. 865  
Detroit, MI 48226  
(313) 226-6701  
Email: adele.rapport@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Omar Weaver**

U.S. Equal Employment Opportunity  
Commission (MI)  
Patrick V. McNamara Bldg.  
477 Michigan Ave., Rm. 865  
Detroit, MI 48226  
(313) 226-3407  
Email: omar.weaver@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**intervenor-plaintiff**

**James B. Thorndill**  
*TERMINATED: 05/14/2004*

represented by **Stephen R. Drew**

Drew Cooper & Anding  
125 Ottawa Ave., NW, Ste. 300  
Grand Rapids, MI 49503  
(616) 454-8300  
Fax: (616) 454-0036  
Email: sdrew@dcadvocate.com  
*TERMINATED: 05/14/2004*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**defendant****Pascal, Co. Inc.**

represented by **Robert Neil Stein**  
 Robert N. Stein Co., LPA  
 1450 Rockefeller Bldg.  
 614 Superior Ave., NW  
 Cleveland, OH 44113  
 (216) 781-8040  
 Email: robertnsteinesq@sbcglobal.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**mediator****Facilitative Mediator***TERMINATED: 12/05/2003*

represented by **Jon G. March**  
 Miller Johnson PLC (Grand Rapids)  
 250 Monroe Ave., NW, Ste. 800  
 P.O. Box 306  
 Grand Rapids, MI 49501-0306  
 (616) 831-1729  
 Fax: (616) 988-1729  
 Email: marchj@millerjohnson.com  
*TERMINATED: 12/05/2003*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**counter-claimant****Pascal, Co. Inc.***TERMINATED: 05/14/2004*

V.

**counter-defendant****James B. Thorndill***TERMINATED: 05/14/2004*

| <b>Date Filed</b> | <b>#</b>                 | <b>Docket Text</b>  |
|-------------------|--------------------------|---|
| 07/03/2003        | <a href="#"><u>1</u></a> | COMPLAINT <i>and jury demand</i> against Pascal, Co. Inc. filed by Equal Employment Opportunity Commission (rlw, ) (Entered: 07/09/2003)        |
| 07/03/2003        | <a href="#"><u>2</u></a> | NOTICE REGARDING PUBLIC ACCESS directed to Adele Rapport (rlw, ) (Entered: 07/09/2003)  |
| 07/03/2003        |                          | SUMMONS ISSUED as to Pascal, Co. Inc. (rlw, ) (Entered: 07/09/2003)   |
| 08/04/2003        | <a href="#"><u>3</u></a> | PROPOSED STIPULATION and ORDER <i>for leave to plead to the Complaint by 9/2/03</i> by defendant Pascal, Co. Inc. (mrs, ) (Entered: 08/07/2003) |

|            |                    |  |
|------------|--------------------|--|
| 08/07/2003 | <a href="#">4</a>  | NOTICE REGARDING PUBLIC ACCESS directed to atty Stein (mrs, ) (Entered: 08/07/2003)  |
| 08/08/2003 | <a href="#">5</a>  | STIPULATION AND ORDER granting <a href="#">3</a> ; defendant shall answer or otherwise plead by 9/2/2003; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 08/08/2003)   |
| 08/08/2003 |                    | Copy of Order on Stipulation and Proposed Order <a href="#">5</a> sent via U.S. Mail to R. Stein (rlw, ) (Entered: 08/08/2003)   |
| 08/21/2003 | <a href="#">6</a>  | NOTICE of motion to intervene (mrs, ) (Entered: 08/25/2003)  |
| 08/21/2003 | <a href="#">7</a>  | MOTION to intervene as plaintiff by movant James B. Thorndill ; (mrs, ) Additional attachment(s) added on 8/25/2003 (mrs, ). Modified on 9/5/2003 (mrs, ). (Entered: 08/25/2003)   |
| 08/21/2003 | <a href="#">8</a>  | BRIEF in support of <a href="#">7</a> motion to intervene as plaintiff filed by James B. Thorndill (mrs, ) (Entered: 08/25/2003)   |
| 08/21/2003 | <a href="#">9</a>  | PROOF OF SERVICE by movant-plaintiff James B. Thorndill re <a href="#">6</a> , <a href="#">7</a> , <a href="#">8</a> (mrs, ) Modified on 9/5/2003 (ldm) (Entered: 08/25/2003)  |
| 08/25/2003 | <a href="#">10</a> | NOTICE REGARDING PUBLIC ACCESS directed to atty Drew (mrs, ) (Entered: 08/25/2003)   |
| 09/02/2003 | <a href="#">11</a> | ANSWER to complaint with Affirmative Defenses, Jury Demand, Consent to Electronic Service, and Proof of Service by Pascal, Co. Inc. (mrs, ) (Entered: 09/04/2003)  |
| 09/12/2003 | <a href="#">12</a> | ATTORNEY SUBSTITUTION adding attorney Omar Weaver for Equal Employment Opportunity Commission in the place of Dale Price (mrs, ) Modified on 9/15/2003 (mrs, ). (Entered: 09/15/2003)  |
| 09/12/2003 | <a href="#">13</a> | CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission re <a href="#">12</a> (mrs, ) (Entered: 09/15/2003)  |
| 09/15/2003 | <a href="#">14</a> | NOTICE REGARDING PUBLIC ACCESS directed to atty Weaver (mrs, ) (Entered: 09/15/2003)   |
| 09/19/2003 | <a href="#">15</a> | ORDER granting <a href="#">7</a> motion of James B. Thorndill to intervene; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 09/19/2003)   |
| 09/19/2003 | <a href="#">17</a> | INTERVENOR COMPLAINT with jury demand filed by James B. Thorndill (rlw, ) (Entered: 09/23/2003)  |
| 09/22/2003 | <a href="#">16</a> | ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 10/30/2003 at 09:00 AM at 654 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody; status report due by 10/27/2003; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 09/22/2003) |
| 09/30/2003 | <a href="#">18</a> | ANSWER to intervenor complaint of Defendant, Pascal Company, Inc., COUNTERCLAIM against James B. Thorndill by Pascal, Co. Inc. (Stein, Robert) (Entered: 09/30/2003)   |

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|------------|--------------------|---|
| 10/21/2003 | <a href="#">19</a> | PROOF OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>for first set of interrogatories, requests for documents and requests for admissions</i> (mrs, ) (Entered: 10/21/2003)   |
| 10/21/2003 | <a href="#">20</a> | PROOF OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>(AMENDED) for first set of interrogatories, request for documents and request for admissions served upon atty Stein 10/15/03; and first set of interrogatories, requests for documents and request for admissions served upon atty Drew 10/16/03</i> (mrs, ) (Entered: 10/21/2003)   |
| 10/24/2003 | <a href="#">23</a> | ANSWER to counterclaim <i>with Affirmative Defenses and Reliance on Jury Demand</i> by James B. Thorndill (mrs, ) (Entered: 10/28/2003)   |
| 10/24/2003 | <a href="#">24</a> | PROOF OF SERVICE by intervenor-plaintiff James B. Thorndill re <a href="#">23</a> (mrs, ) (Entered: 10/28/2003)   |
| 10/27/2003 | <a href="#">21</a> | JOINT STATUS REPORT submitted for filing by plaintiff Equal Employment Opportunity Commission (Weaver, Omar) (Entered: 10/27/2003)  |
| 10/27/2003 | <a href="#">22</a> | RESPONSE TO ANSWER TO COMPLAINT re <a href="#">18</a> <i>Reply to Counter Claim, Affirmative Defenses and Jury Demand</i> filed by plaintiff Equal Employment Opportunity Commission (Weaver, Omar) (Entered: 10/27/2003)   |
| 10/30/2003 | <a href="#">25</a> | MINUTES of Rule 16 Scheduling Conference (by phone) held by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cr) (Entered: 10/30/2003)   |
| 11/12/2003 | <a href="#">26</a> | CASE MANAGEMENT ORDER: jury trial set for 3/2005 civil trial session at 174 Federal Building, Kalamazoo, MI before Judge Richard Alan Enslin; settlement conference set for 1/29/2004 at 10:00 AM at 654 Federal Building, Grand Rapids, MI before Magistrate Judge Ellen S. Carmody; final pretrial conference set for 2/22/2005 at 03:30 PM at 174 Federal Building, Kalamazoo, MI before Judge Richard Alan Enslin; signed by Judge Richard Alan Enslin (Judge Richard Alan Enslin, sas) (Entered: 11/12/2003) |
| 12/05/2003 | <a href="#">27</a> | ORDER referring case to VOLUNTARY FACILITATIVE MEDIATION: Facilitative Mediator rep by Jon G. March added; plaintiff VFM fee to be submitted by 12/15/2003; defendant VFM fee to be submitted by 12/15/2003; signed by Judge Richard Alan Enslin (Judge Richard Alan Enslin, sas) (Entered: 12/05/2003)   |
| 12/11/2003 | <a href="#">28</a> | ORDER regarding settlement conference; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 12/11/2003)   |
| 12/12/2003 | <a href="#">29</a> | CERTIFICATE OF SERVICE by defendant Pascal, Co. Inc. <i>of Answers to Discovery Propounded by Plaintiff EEOC</i> (Stein, Robert) (Entered: 12/12/2003)  |
| 12/17/2003 | <a href="#">30</a> | PROOF OF SERVICE by intervenor-plaintiff James B. Thorndill <i>for disclosures pursuant to FRCP 26(a)(1)</i> (mrs, ) (Entered: 12/19/2003)  |
| 12/19/2003 | <a href="#">31</a> | CERTIFICATE OF SERVICE by defendant Pascal, Co. Inc. <i>of Fed R. 26(A) DISCLOSURES</i> (Stein, Robert) (Entered: 12/19/2003)   |
| 12/26/2003 | <a href="#">32</a> | CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>for Rule 26 (a)(1) Disclosures</i> (acr, ) (Entered: 12/26/2003)   |

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| 01/12/2004 |                    | VFM FEE RECEIVED in the amount of \$25.00, check number 4271 for payment of Defendant Pascal, Co. Inc.'s VFM fee (Related document(s), <a href="#">27</a> ) (ADR Administrator, mjs) (Entered: 01/12/2004)   |
| 01/13/2004 |                    | VFM FEE RECEIVED in the amount of \$12.50, check number 27246 for payment of Intervenor-Plaintiff James B. Thorndill's VFM fee (ADR Administrator, mjs) (Entered: 01/13/2004)  |
| 01/16/2004 | <a href="#">33</a> | PROPOSED STIPULATION and ORDER <i>to reschedule facilitative mediation</i> by plaintiff Equal Employment Opportunity Commission, defendant Pascal, Co. Inc., intervenor-plaintiff James B. Thorndill (mrs, ) (Entered: 01/22/2004)   |
| 01/16/2004 | <a href="#">34</a> | PROOF OF SERVICE by intervenor-plaintiff James B. Thorndill re <a href="#">33</a> (mrs, ) (Entered: 01/22/2004)  |
| 01/29/2004 | <a href="#">35</a> | MINUTES of settlement conference held before Magistrate Judge Ellen S. Carmody (Tape #C-G04-#8) (Magistrate Judge Ellen S. Carmody, cr) (Entered: 01/29/2004)  |
| 02/09/2004 |                    | VFM FEE RECEIVED in the amount of \$12.50, check number 114 for payment of Plaintiff Equal Employment Opportunity Commission's portion of the VFM fee (Related document(s), <a href="#">27</a> ) (ADR Administrator, mjs) (Entered: 02/09/2004)  |
| 03/25/2004 | <a href="#">36</a> | ORDER granting STIPULATION <a href="#">33</a> to reschedule facilitative mediation; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 03/25/2004)   |
| 04/21/2004 | <a href="#">37</a> | PROPOSED STIPULATION and ORDER <i>that Exhibit B Attached to Consent Decree Will be Placed on the Record by defendant Pascal Co., Inc, by Intervening Plaintiff James Thordill and by plaintiff Equal Employment Opportunity Commission</i> (bd, ) (Entered: 04/21/2004)   |
| 04/28/2004 | <a href="#">38</a> | ORDER granting STIPULATION <a href="#">37</a> that Exhibit B attached to the consent decree will be placed on the record but will not be part of the Court's electronic file; signed by Magistrate Judge Ellen S. Carmody (Magistrate Judge Ellen S. Carmody, cbh) (Entered: 04/28/2004)   |
| 05/12/2004 | <a href="#">39</a> | PROPOSED STIPULATION and ORDER <i>of Dismissal</i> by intervenor-plaintiff James B. Thorndill (Drew, Stephen) (Entered: 05/12/2004)  |
| 05/14/2004 | <a href="#">40</a> | ORDER OF DISMISSAL granting STIPULATION <a href="#">39</a> , the Complaint in Intervention and all claims of Intervening Plaintiff James Thorndill against Defendant are DISMISSED WITH PREJUDICE and without costs; signed by Judge Richard Alan Enslin (Judge Richard Alan Enslin, blb) (Entered: 05/14/2004)  |
| 06/17/2004 | <a href="#">41</a> | PROPOSED CONSENT DECREE by plaintiff Equal Employment Opportunity Commission, defendant Pascal, Co. Inc. (Attachments: # <a href="#">1</a> Exhibit A# (2) Exhibit B - per Order, document no. 38, Exhibit B will be placed on the record but will not be part of the Court's electronic file) (rlw, ) Modified on 6/18/2004 (mbb, ). (Entered: 06/17/2004) |
| 06/21/2004 | <a href="#">42</a> | ORDER granting consent decree <a href="#">41</a> , case is DISMISSED WITH PREJUDICE and without costs, court reserves jurisdiction to enforce this Consent Decree; signed by Judge Richard Alan Enslin (Attachments: # <a href="#">1</a> Exhibit A) (Judge   |

Richard Alan Enslin, blb) Additional attachment(s) added on 6/22/2004 (acr, ).  
(Entered: 06/21/2004)

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| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 1:03-cv-00442-RAE |
| <b>Billable Pages:</b> | 3             | <b>Cost:</b>            | 0.24              |