

APPEAL, CLOSED, SDP

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:97-cv-70679-JCO**

EEOC v. Swenk-Tuttle Press
Assigned to: Honorable John Corbett O'Meara
Demand: \$0

Date Filed: 02/21/1997
Date Terminated: 04/01/1998
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**Equal Employment Opportunity
Commission***TERMINATED: 03/24/1999*represented by **Adele Rapport**

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V.

Defendant

Swenk-Tuttle Press, Incorporated
TERMINATED: 03/24/1999

represented by **Robert T. Kendall, III**
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 145 S. Jackson Street
 P.O. Box 787
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Date Filed	#	Docket Text
02/21/1997	1	COMPLAINT with; jury demand (PP) (Entered: 03/04/1997)
03/26/1997	2	APPEARANCE for defendant Swenk-Tuttle Press of attorney Robert T. Kendall (ld) (Entered: 03/27/1997)
03/26/1997	3	ANSWER by defendant Swenk-Tuttle Press to complaint [1-1] (ld) (Entered: 03/27/1997)
03/26/1997	3	AFFIRMATIVE defenses by defendant Swenk-Tuttle Press (ld) (Entered: 03/27/1997)
03/26/1997	4	PROOF of mailing of documents #2 and #3 (ld) (Entered: 03/27/1997)
03/27/1997	5	PROOF of mailing (Amended) by defendant of appearance of counsel and answer to complaint (ld) (Entered: 03/27/1997)
04/10/1997		SCHEDULE: by Judge John Corbett O'Meara scheduling conference set for 3:15 5/19/97 (dg) (Entered: 04/10/1997)
04/10/1997	6	NOTICE by the court of scheduling conference (ls) (Entered: 04/11/1997)

05/19/1997		SCHEDULING conference held - Judge John Corbett O'Meara (dg) (Entered: 05/20/1997)
05/21/1997	7	PRETRIAL scheduling order by Judge John Corbett O'Meara - deadline for discovery set for 11/19/97 , deadline for witness list set for 9/2/97 , deadline for filing dispositive motions set for 12/8/97 , deadline for final pretrial order set for 2/18/98 , f final pretrial conference set for 3:30 2/25/98 , civil jury trial set for 3/3/98 (PP) (Entered: 05/21/1997)
06/11/1997	8	PROOF of mailing of EEOC's interrogatories, request for production of documents and request for entry upon land for inspection (lh) (Entered: 06/12/1997)
08/06/1997	9	PROOF of mailing of answer to plaintiff's interrogatories to defendant, answer to plaintiff's request for entry upon land for inspection and other purposes, and answer to plaintiff's request for production of documents (ld) (Entered: 08/07/1997)
09/04/1997	10	PROOF of mailing by plaintiff EEOC of Witness List upon defendant Swenk-Tuttle Press (bk) (Entered: 09/05/1997)
09/17/1997	11	WITNESS list by defendant Swenk-Tuttle Press with proof of mailing (lh) (Entered: 09/17/1997)
10/15/1997	12	PROOF of mailing of plaintiff's amended witness list (ls) (Entered: 10/16/1997)
10/23/1997	13	PROOF of mailing of EEOC's second set of interrogatories (lh) (Entered: 10/23/1997)
11/03/1997	14	PROOF of mailing by EEOC of witness list (db) (Entered: 11/05/1997)
11/13/1997	15	PROOF of mailing by plaintiff of notice of taking deposition of Larry Koerber, Thomas Bergman, Beverly Wright, Russell Smith, and Mark Kremski. (PP) (Entered: 11/14/1997)
11/24/1997	17	STIPULATION by EEOC, Swenk-Tuttle Press, to amend the Court's scheduling order (lt) (Entered: 12/02/1997)
11/25/1997	16	ORDER by Judge John Corbett O'Meara, extending time to file dispositive motions (lt) (Entered: 11/26/1997)
12/03/1997		SCHEDULE: by Judge John Corbett O'Meara deadline for filing dispositive motions set for 12/22/97 (dg) (Entered: 12/03/1997)
12/04/1997	18	PROOF of mailing by plaintiff of re-notice of taking deposition of Larry Koerber, re-notice of taking depositions of Thomas Bergman, Beverly Wright, Russell Smith, and Mark Kremski. (PP) (Entered: 12/05/1997)
12/17/1997	19	APPEARANCE for plaintiff EEOC of attorney Eun (Ellen) G. Ha with proof of mailing (db) (Entered: 12/18/1997)
12/17/1997	20	PROOF of mailing by plaintiff EEOC of notice of taking deposition for Guenter Schmitt (db) (Entered: 12/18/1997)
12/17/1997	21	PROOF of mailing by plaintiff EEOC of re-notice of taking deposition duces tecum for Thomas Bergman (db) (Entered: 12/18/1997)

12/23/1997	22	STIPULATION and order by Judge John Corbett O'Meara, extending time to file dispositive motion (ld) (Entered: 12/29/1997)
12/29/1997	23	PROOF of mailing of the Equal Employment Opportunity Commission's notice of taking deposition for Michael Loader (lh) (Entered: 12/30/1997)
01/06/1998	24	AMENDED WITNESS list by defendant Swenk-Tuttle Press with proof of mailing (db) (Entered: 01/07/1998)
01/08/1998		SCHEDULE: by Judge John Corbett O'Meara deadline for filing dispositive motions set for 1/30/98 (dg) (Entered: 01/08/1998)
01/21/1998	25	PROOF of mailing of notice of continuation of depositions for Russ Smith and Tom Bergman; re-notices of taking depositions of Guenther Schmitt and Michael Loader (lh) (Entered: 01/22/1998)
01/23/1998	26	PROOF of mailing of plaintiff's second (sic Third) set of interogatoeis, second set of request for production of documents (ld) (Entered: 01/27/1998)
01/30/1998	27	MOTION by plaintiff EEOC to compel discovery with brief, exhibits and proof of mailing (lt) (Entered: 02/02/1998)
01/30/1998	28	MOTION by defendant Swenk-Tuttle Press for summary judgment with brief, exhibits and proof of mailing (lt) (Entered: 02/02/1998)
01/30/1998	29	ADDENDUM by defendant Swenk-Tuttle Press to motion for summary judgment by Swenk-Tuttle Press [28-1] re: pages 18-20 (lt) Modified on 02/02/1998 (Entered: 02/02/1998)
02/02/1998	30	PROOF of mailing by defendant on 1/30/98 of the revised pages 18 and 19 (lt) (Entered: 02/03/1998)
02/04/1998	31	MOTION by defendant Swenk-Tuttle Press to compel answers to interrogatories , and for plaintiff EEOC to produce documents with brief, attachments and proof of mailing (lt) (Entered: 02/05/1998)
02/10/1998	32	AMENDED ORDER by Judge John Corbett O'Meara, referring motion to compel discovery by EEOC [27-1], referring motion to compel answers to interrogatories [31-1] and referring motion for plaintiff EEOC to produce documents by Swenk-Tuttle Press [31-2] to Magistrate Judge Steven D. Pepe , for hearing and determination with proof of mailing (lt) (Entered: 02/11/1998)
02/10/1998	33	NOTICE by the court of hearing on motion for summary judgment by Swenk-Tuttle Press [28-1] (db) (Entered: 02/12/1998)
02/11/1998		SCHEDULE: by Judge John Corbett O'Meara hearing on motion for summary judgment by Swenk-Tuttle Press [28-1] set for 2:00 3/20/98 (dg) (Entered: 02/11/1998)
02/17/1998		SCHEDULE: by Magistrate Judge Steven D. Pepe deadline for notice of compliance set for 2/24/98 , hearing on motion to compel answers to interrogatories [31-1] and for plaintiff EEOC to produce documents by Swenk-Tuttle Press [31-2], motion to compel discovery by EEOC [27-1] set for 3/3/98 (ml) (Entered: 02/17/1998)

02/17/1998	34	ORDER by Magistrate Judge Steven D. Pepe, of hearing on motion to compel answers to interrogatories by Swenk-Tuttle Press [31-1], motion for plaintiff EEOC to produce by Swenk-Tuttle Press [31-2], motion to compel discovery by EEOC [27-1] (PP) (Entered: 02/19/1998)
02/19/1998	35	AMENDED notice of hearing on motion for summary judgment by Swenk-Tuttle Press [28-1] (bk) (Entered: 02/20/1998)
02/20/1998		SCHEDULE: by Judge John Corbett O'Meara hearing on motion for summary judgment by Swenk-Tuttle Press [28-1] set for 9:00 3/27/98 (dg) (Entered: 02/20/1998)
02/20/1998	36	AMENDED PRETRIAL scheduling order by Judge John Corbett O'Meara - deadline for final pretrial order set for 4/17/98 , final pretrial conference set for 3:30 2/24/98 and civil jury set for MAY 1998 with proof of mailing (db) (Entered: 02/23/1998)
02/20/1998	37	RESPONSE by plaintiff EEOC to defendant's motion to compel answers to interrogatories and request for production of documents [31-1] [31-2] with brief, attachments and proof mailing (db) (Entered: 02/23/1998)
02/24/1998	38	JOINT STATEMENT of resolved and unresolved issues regarding the plaintiff's motion to compel discovery and the defendant's motion to compel answers to interrogatories and request for production of documents (db) (Entered: 02/25/1998)
02/24/1998	39	RESPONSE by defendant Swenk-Tuttle Press to motion to compel discovery by EEOC [27-1] with brief, attachments and proof of mailing (db) (Entered: 02/25/1998)
02/24/1998	40	RESPONSE by defendant Swenk-Tuttle Press to duces tecum request (db) (Entered: 02/25/1998)
02/25/1998	41	AFFIDAVIT of Beverly Wright (db) (Entered: 02/26/1998)
02/25/1998	42	BRIEF in opposition by plaintiff EEOC to motion for summary judgment by Swenk-Tuttle Press [28-1] with attachments and proof of mailing (db) (Entered: 02/26/1998)
02/26/1998	43	REPLY by plaintiff EEOC to response to motion to compel discovery by EEOC [27-1] with proof of mailing (ld) (Entered: 03/02/1998)
03/03/1998		MOTION hearing held on motion to compel answers to interrogatories [31-1] and for plaintiff EEOC to produce documents by Swenk-Tuttle Press [31-2] - disposition: granted in part - Magistrate Judge Steven D. Pepe - Court Reporter: Taped Proceeding (ml) (Entered: 03/03/1998)
03/03/1998		MOTION hearing held on motion to compel discovery by EEOC [27-1] - disposition: granted in part - Magistrate Judge Steven D. Pepe - Court Reporter: Taped Proceeding (ml) (Entered: 03/03/1998)
03/09/1998	44	REPLY brief by defendant Swenk-Tuttle Press in opposition to response to motion for summary judgment by Swenk-Tuttle Press [28-1] with proof of mailing (bk) (Entered: 03/10/1998)

03/26/1998	45	ORDER by Judge John Corbett O'Meara granting motion to compel answers to interrogatories [31-1], granting motion for plaintiff EEOC to produce documents by Swenk-Tuttle Press [31-2], granting in part denying in part motion to compel discovery by EEOC [27-1] (lt) (Entered: 03/27/1998)
03/27/1998		MOTION hearing held on motion for summary judgment by Swenk-Tuttle Press [28-1] - disposition: taken under advisement - Judge John Corbett O'Meara - Court Reporter: Mosby (dg) (Entered: 03/27/1998)
04/01/1998	46	OPINION and order by Judge John Corbett O'Meara granting motion for summary judgment by Swenk-Tuttle Press [28-1], and dismissing the complaint with proof of mailing (lt) (Entered: 04/02/1998)
04/01/1998	47	JUDGMENT entered by Judge John Corbett O'Meara for Swenk-Tuttle Press against EEOC and dismissing complaint with proof of mailing (lt) (Entered: 04/02/1998)
04/02/1998	48	PROOF of mailing of court's 3/26/98 order compelling discovery (lh) (Entered: 04/03/1998)
04/15/1998	49	MOTION by plaintiff EEOC for reconsideration and clarification of order dismissing the complaint [46-1], mem opinion and order [46-2] with brief, and proof of mailing (bk) (Entered: 04/16/1998)
05/11/1998	50	AMENDED opinion and order by Judge John Corbett O'Meara granting motion for summary judgment by Swenk-Tuttle Press [28-1], dismissing complaint with proof of mailing (ew) (Entered: 05/13/1998)
05/11/1998	51	ORDER by Judge John Corbett O'Meara denying in part and granting in part motion for reconsideration and clarification of order dismissing the complaint [46-1], mem opinion and order [46-2] by EEOC [49-1] (ew) (Entered: 05/13/1998)
07/10/1998	52	APPEAL by plaintiff EEOC of order [51-1], order dismissing complaint [50-1] to USCA - FEE: NO FEE PAID (do) (Entered: 07/14/1998)
07/14/1998	53	PROOF of mailing of notice of appeal to USCA, Deborah Barno, Stanely Pitts, Adele Rapport, Eun G. Ha, Robert Kendall, Sandy Kelly and Denise Mosby (do) (Entered: 07/14/1998)
07/14/1998	54	CERTIFIED copy of appeal notice by EEOC [52-1] and docket transmitted to USCA (do) (Entered: 07/14/1998)
07/23/1998	55	TRANSCRIPT order form filed by counsel for EEOC regarding appeal filed by EEOC [52-1] and requesting transcript(s) of: 3/27/98 and hearing on defendant's motion for summary judgment - appeal case # (not received yet) (lh) Modified on 07/24/1998 (Entered: 07/24/1998)
08/03/1998	56	ACKNOWLEDGEMENT from USCA of receipt of appeal notice by EEOC [52-1] - appeal case # 98-1821 (ls) (Entered: 08/04/1998)
09/11/1998	57	TRANSCRIPT taken on March 27, 1998 of motion for summary judgment (ls) (Entered: 09/14/1998)

01/22/1999	58	JOINT motion and order by Judge John Corbett O'Meara for relief from Court's judgment of 5/11/98 and that if this case is remanded to the District Court by the Court of Appeals, this Court is disposed to grant the parties 60(b) motion remand case to District Court with breif and proof of mailing (lh) (Entered: 01/25/1999)
02/11/1999	59	CERTIFIED copy of order from USCA remanding the case for further proceedings - appeal case # 98-1821 (ew) (Entered: 02/12/1999)
03/24/1999	60	ORDER by Judge John Corbett O'Meara with motion, granting the parties Rule 60(b) motion (RH) (Entered: 03/25/1999)
03/24/1999	61	CONSENT judgment entered by Judge John Corbett O'Meara that defendant pay plaintiff the sum of \$25,000 and agreed to by defendant Swenk-Tuttle Press, (RH) (Entered: 03/25/1999)
07/07/1999	62	SETTLEMENT agreement by EEOC and Swenk-Tuttle Press with proof of mailing [EOD Date: 7/8/99] (lh) (Entered: 07/08/1999)

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