

CLOSED, VFM

United States District Court
Western District of Michigan (Southern Division (1))
CIVIL DOCKET FOR CASE #: 1:05-cv-00677-GJQ

Equal Employment Opportunity Commission v. Seelye-Wright
of South Haven, Inc.
Assigned to: Judge Gordon J. Quist
Cause: 28:451 Employment Discrimination

Date Filed: 09/30/2005
Date Terminated: 11/21/2006
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)
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TERMINATED: 06/07/2006
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intervenor-plaintiff

Randy Elder

represented by **Frederick E. Mackraz**
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V.

defendant**Seelye-Wright of South Haven, Inc.**

represented by **Edward Annen, Jr.**
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mediator**Facilitative Mediator**

represented by **Jon G. March**
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LEAD ATTORNEY

Date Filed	#	Docket Text
09/30/2005	<u>1</u>	COMPLAINT <i>and jury demand</i> against Seelye-Wright of South Haven, Inc. filed by Equal Employment Opportunity Commission (Attachments:, # <u>1</u> Civil Cover Sheet) (cmi,) (Entered: 10/03/2005)
09/30/2005		SUMMONS ISSUED as to Seelye-Wright of South Haven, Inc. (cmi,) (Entered: 10/03/2005)
10/24/2005	<u>2</u>	ANSWER to complaint <i>w/affirmative defenses</i> by Seelye-Wright of South Haven, Inc. (Attachments:, # <u>1</u> Attachment) (elc,) (Entered: 10/25/2005)

10/24/2005	3	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. re 2 <i>answer to complaint</i> (elc,) (Entered: 10/25/2005)
10/28/2005	4	ORDER setting Rule 16 scheduling conference: Rule 16 scheduling conference is set for 12/14/2005 at 03:00 PM at 482 Federal Building, Grand Rapids, MI before Judge Gordon J. Quist; status report due by 12/9/2005 ; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 10/28/2005)
10/31/2005		Copy of Order Setting Rule 16 Scheduling Conference, 4 sent via U.S. Mail to atty Annen (elc) (Entered: 10/31/2005)
11/18/2005	5	PROPOSED ATTORNEY SUBSTITUTION adding attorney Michael D. Wade in the place of Edward J. Annen, Jr. (Wade, Michael) Modified on 11/21/2005 to edit text (elc). (Entered: 11/18/2005)
11/21/2005	6	MOTION to intervene <i>as party plaintiff by Randy Elder</i> (Mackraz, Frederick) (Entered: 11/21/2005)
11/21/2005	7	PROOF OF SERVICE by intervenor-plaintiff Randy Elder re 6 <i>Motion to Intervene</i> (Mackraz, Frederick) (Entered: 11/21/2005)
11/28/2005	8	NOTICE re 6 <i>Concurrence</i> by defendant Seelye-Wright of South Haven, Inc. (Wade, Michael) (Entered: 11/28/2005)
11/28/2005	9	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. re 8 <i>Notice of Concurrence</i> (Wade, Michael) (Entered: 11/28/2005)
11/29/2005	10	PROPOSED ORDER regarding <i>Motion to Intervene</i> by intervenor-plaintiff Randy Elder (Mackraz, Frederick) (Entered: 11/29/2005)
12/01/2005	11	ORDER granting 6 motion to intervene, entered ORDER 10 ; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 12/01/2005)
12/05/2005	12	ATTORNEY APPEARANCE of Dale Price on behalf of plaintiff Equal Employment Opportunity Commission (Price, Dale) (Entered: 12/05/2005)
12/07/2005	13	INTERVENOR COMPLAINT filed by Randy Elder (Mackraz, Frederick) (Entered: 12/07/2005)
12/09/2005	14	JOINT STATUS REPORT submitted for filing by defendant Seelye-Wright of South Haven, Inc. (Wade, Michael) (Entered: 12/09/2005)
12/14/2005	15	<i>Defendant's</i> ANSWER to intervenor complaint w/affirmative defenses by Seelye-Wright of South Haven, Inc. (Wade, Michael) Modified on 12/15/2005 to edit text (elc). (Entered: 12/14/2005)
12/14/2005	16	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. re 15 <i>Defendant's Answer to Intervening Plaintiff's Complaint</i> (Wade, Michael) (Entered: 12/14/2005)
12/14/2005	22	MINUTES of scheduling conference held before Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 01/03/2006)
12/19/2005	17	CASE MANAGEMENT ORDER: jury trial set for 8/8/2006 at 08:30 AM at 499 Federal Building, Grand Rapids, MI before Judge Gordon J. Quist; final pretrial conference set for 7/27/2005 at 04:00 PM at 499 Federal Building, Grand Rapids,

		MI before Judge Gordon J. Quist; ; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 12/19/2005)
12/28/2005	18	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. regarding service of the personnel file of Randy Elder (Wade, Michael) (Entered: 12/28/2005)
12/28/2005	19	PROOF OF SERVICE by intervenor-plaintiff Randy Elder of <i>Statement re Damages</i> (Mackraz, Frederick) (Entered: 12/28/2005)
01/03/2006	20	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. regarding the Seelye-Wright personnel file of Randy Elder (Wade, Michael) (Entered: 01/03/2006)
01/03/2006	21	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. regarding service of Defendant's First Set of Request for Production of Documents Directed to Plaintiff (Wade, Michael) (Entered: 01/03/2006)
01/31/2006	23	CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission For Plaintiff EEOC's Rule 26 Disclosures (Price, Dale) (Entered: 01/31/2006)
02/09/2006	24	FIRST MOTION to compel discovery and to modify the scheduling order by plaintiff Equal Employment Opportunity Commission; (Price, Dale) (Entered: 02/09/2006)
02/09/2006	25	BRIEF in support of 24 Motion to Compel and to Modify the Scheduling Order filed by Equal Employment Opportunity Commission (Attachments: # 1 Exhibit A# 2 Exhibit B) (Price, Dale) (Entered: 02/09/2006)
02/09/2006		MOTION to amend/correct the scheduling order (taken from motion to compel 24) by plaintiff Equal Employment Opportunity Commission; (rlw,) (Entered: 02/09/2006)
02/10/2006	26	NOTICE OF MOTION HEARING regarding plf's motion to compel discovery and to modify scheduling order 24 : responses due by 2/23/2006; motion hearing is set for 3/1/2006 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Joseph G. Scoville; (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 02/10/2006)
02/15/2006	27	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. of Defendant's Response to the EEOC's Interrogatories (Wade, Michael) (Entered: 02/15/2006)
02/22/2006	28	RESPONSE to motion re 24 Motion to Compel filed by Seelye-Wright of South Haven, Inc. (Wade, Michael) (Entered: 02/22/2006)
02/22/2006	29	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. re 28 Defendant's Response to the EEOC's Motion to Compel (Wade, Michael) (Entered: 02/22/2006)
02/27/2006	30	SELECTION of Jon March as facilitative mediator by intervenor-plaintiff Randy Elder, plaintiff Equal Employment Opportunity Commission and defendant Seelye-Wright of South Haven, Inc (Mackraz, Frederick) Modified to correct filers on 2/27/2006 (acr,). (Entered: 02/27/2006)

02/28/2006	31	NOTICE of appointment of Facilitative Mediator Jon G. March; plaintiff VFM fee to be submitted by 3/13/2006; defendant VFM fee to be submitted by 3/13/2006 (ADR Administrator, mjs) (Entered: 02/28/2006)
02/28/2006	32	NOTICE OF MOTION HEARING regarding plf's motion to compel discovery and modify scheduling order 24 ; motion hearing is rescheduled for 3/6/2006 at 10:00 AM at 699 Federal Building, Grand Rapids, MI before Magistrate Judge Joseph G. Scoville; (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 02/28/2006)
03/01/2006	33	PROPOSED STIPULATION and ORDER <i>regarding modification of the scheduling order</i> by plaintiff Equal Employment Opportunity Commission (Price, Dale) Modified text on 3/8/2006 (acr,). (Entered: 03/01/2006)
03/03/2006	34	CERTIFICATE OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>regarding Defendant's Respones to the EEOC's Request to Produce</i> (Herman, Thomas) (Entered: 03/03/2006)
03/06/2006	35	MINUTES of hearing on plf's motion to compel and modify scheduling order 24 held before Magistrate Judge Joseph G. Scoville; motion granted; court to issue order (Proceedings Digitally Recorded) (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 03/06/2006)
03/06/2006	36	ORDER granting 24 plf's motion to compel discovery; discovery deadline extended to 4/15/06; dispositive motion deadline extended to 5/8/06; signed by Magistrate Judge Joseph G. Scoville (Magistrate Judge Joseph G. Scoville, mmh) (Entered: 03/06/2006)
03/13/2006	37	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>Supplemental Response to EEOC's Request to Produce</i> (Herman, Thomas) (Entered: 03/13/2006)
03/13/2006		VFM FEE RECEIVED in the amount of \$25.00, check number 273878 for payment of Defendant Seelye-Wright of South Haven, Inc.'s VFM fee (ADR Administrator, mjs) Modified on 3/17/2006 (ADR Administrator, mjs). (Entered: 03/17/2006)
03/15/2006	38	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>regarding Defendant's Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1)</i> (Herman, Thomas) (Entered: 03/15/2006)
03/17/2006	39	NOTICE regarding VFM fees that were due 3/13/06 pursuant to Notice of Appointment of Facilitative Mediator 31 ; plaintiff VFM fee to be submitted by 3/27/2006 (ADR Administrator, mjs) (Entered: 03/17/2006)
03/27/2006	40	CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>for Notice of Deposition of Edward Annen</i> (Price, Dale) (Entered: 03/27/2006)
03/28/2006	41	CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>for corrected Notice of Deposition of Edward Annen</i> (Price, Dale) (Entered: 03/28/2006)
03/29/2006	42	CERTIFICATE OF SERVICE by plaintiff Equal Employment Opportunity Commission <i>for Notice of Depositions</i> (Price, Dale) (Entered: 03/29/2006)

04/03/2006		VFM FEE RECEIVED in the amount of \$25.00, check number 436 as to plaintiff Equal Employment Opportunity Commission (ADR Administrator, mjs) (Entered: 04/03/2006)
04/24/2006	43	(DISREGARD) REPORT of facilitative mediation held 04/24/06; mediation is Mediation Continuing - settled in part; (March, Jon) Modified on 4/25/2006: see entry 44 for amended report (elc). (Entered: 04/24/2006)
04/24/2006	44	AMENDED REPORT of facilitative mediation held 04/24/06; mediation is continuing - settled in part; (March, Jon) Modified on 4/25/2006 to edit text (elc). (Entered: 04/24/2006)
04/28/2006	45	MOTION for partial summary judgment <i>on Punitive Damages</i> by defendant Seelye-Wright of South Haven, Inc.; (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3 (see docket #51 for replacement exhibit 3)) (Herman, Thomas) Modified text on 5/15/2006 (acr,). (Entered: 04/28/2006)
04/28/2006	46	BRIEF in support of 45 <i>Motion for Partial Summary Judgment on Punitive Damages</i> filed by Seelye-Wright of South Haven, Inc. (Herman, Thomas) (Entered: 04/28/2006)
04/28/2006	47	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>re Defendant's Motion for Partial Summary Judgment on Punitive Damages</i> (Herman, Thomas) (Entered: 04/28/2006)
05/05/2006	48	AMENDED MOTION to amend/correct <i>Motion for Partial Summary Disposition (Attaching Exhibits 1 and 2)</i> by defendant Seelye-Wright of South Haven, Inc.; (Attachments: # 1 Exhibit 1# 2 Exhibit 2) (Herman, Thomas) (Entered: 05/05/2006)
05/05/2006	49	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>Amended Motion for Partial Summary Judgment (Attaching Exhibits 1 and 2)</i> (Herman, Thomas) (Entered: 05/05/2006)
05/08/2006	50	FIRST MOTION for summary judgment <i>as to liability</i> by plaintiff Equal Employment Opportunity Commission; (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D-1# 5 Exhibit D-2# 6 Exhibit E# 7 Exhibit F-1# 8 Exhibit F-2# 9 Exhibit G# 10 Exhibit H# 11 Exhibit I) (Price, Dale) (Entered: 05/08/2006)
05/08/2006	51	EXHIBIT re 45 <i>Amended Exhibit 3 to Motion for Partial Summary Judgment on Punitive Damages</i> by defendant Seelye-Wright of South Haven, Inc. (Herman, Thomas) Modified to reflect that this document replaces exhibit 3 to dkt. #45 on 5/15/2006 (acr,). (Entered: 05/08/2006)
05/08/2006	52	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>Re Amended Exhibit 3 to Motion for Partial Summary Judgment on Punitive Damages</i> (Herman, Thomas) (Entered: 05/08/2006)
05/09/2006	53	EXHIBIT re 50 <i>Amended Exhibits in Support of Motion for Partial Summary Judgment as to Liability</i> by plaintiff Equal Employment Opportunity Commission (Attachments: # 1 Exhibit D-1# 2 Exhibit D-2# 3 Exhibit E) (Price, Dale) (Entered: 05/09/2006)

05/15/2006	54	RESPONSE in opposition re 50 <i>Defendant's Brief Opposing EEOC Motion</i> filed by Seelye-Wright of South Haven, Inc. (Herman, Thomas) (Entered: 05/15/2006)
05/15/2006	55	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>Defendant's Brief Opposing EEOC Motion</i> (Herman, Thomas) (Entered: 05/15/2006)
05/30/2006	56	RESPONSE in support re 50 <i>Motion for Partial Summary Judgment as to Liability</i> filed by Equal Employment Opportunity Commission (Price, Dale) (Entered: 05/30/2006)
05/30/2006	57	RESPONSE in opposition re 45 <i>Motion for Partial Summary Judgment as to Punitive Damages</i> filed by Equal Employment Opportunity Commission (Price, Dale) (Entered: 05/30/2006)
06/07/2006	58	NOTICE of <i>Withdrawal of Counsel</i> by plaintiff Equal Employment Opportunity Commission (Rapport, Adele) (Entered: 06/07/2006)
06/09/2006	59	REPLY to response to motion re 48 <i>Motion for Summary Judgment on Punitive Damages</i> filed by Seelye-Wright of South Haven, Inc. (Attachments: # 1 Exhibit 1) (Herman, Thomas) (Entered: 06/09/2006)
06/09/2006	60	PROOF OF SERVICE by defendant Seelye-Wright of South Haven, Inc. <i>Reply Brief</i> (Herman, Thomas) (Entered: 06/09/2006)
06/20/2006	61	CASE MANAGEMENT ORDER OF RESCHEDULING: jury trial reset for 11/28/2006 at 08:30 AM at 499 Federal Building, Grand Rapids, MI before Judge Gordon J. Quist; final pretrial conference reset for 11/21/2006 at 04:00 PM at 482 Federal Building, Grand Rapids, MI before Judge Gordon J. Quist; ; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 06/20/2006)
10/10/2006	62	OPINION; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, jmt) (Entered: 10/10/2006)
10/10/2006	63	ORDER granting Defendant's Motion and Amended Motion 45 , 48 For Partial Summary Judgment, denying Plaintiff's Motion 50 For Partial Summary Judgment; parties to submit any remaining issues by 10/24/2006; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, jmt) (Entered: 10/10/2006)
11/20/2006	64	PROPOSED CONSENT DECREE by defendant Seelye-Wright of South Haven, Inc. (Wade, Michael) (Entered: 11/20/2006)
11/21/2006	65	ORDER approving consent decree 64 Case closed ; signed by Judge Gordon J. Quist (Judge Gordon J. Quist, mil) (Entered: 11/21/2006)

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