

**U.S. District Court  
Eastern District of Michigan (Detroit)  
CIVIL DOCKET FOR CASE #: 2:07-cv-11706-GCS-MKM**

Allen et al v. Sears, Roebuck and Company et al  
Assigned to: District Judge George Caram Steeh  
Referred to: Magistrate Judge Mona K. Majzoub  
Magistrate Judge Steven D Pepe (Settlement)  
Cause: No cause code entered

Date Filed: 04/17/2007  
Date Terminated: 03/10/2011  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Garold Allen**

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**Plaintiff**

**Sylvester J. Derosa**

represented by **Barry S. Fagan**  
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**Robert M. Giroux , Jr.**  
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**Darcie R. Brault**  
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**Plaintiff**

**Walter Magness**

represented by **Barry S. Fagan**  
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**Robert M. Giroux , Jr.**

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**Darcie R. Brault**  
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**Plaintiff**

**David McKillop**

represented by **Barry S. Fagan**  
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**Darcie R. Brault**  
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**Plaintiff**

**Suzanne J. Novak**

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**Plaintiff**

**Ronnie Willms**

represented by **Barry S. Fagan**  
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**Darcie R. Brault**  
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**Plaintiff**

**Donald Murphy**

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**Darcie R. Brault**  
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V.

**Defendant**

**Sears, Roebuck and Company**

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**Defendant**

**Sears Home Improvement Products,  
Incorporated**

represented by **Brian M. Schwartz**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James P. Feeney**  
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*ATTORNEY TO BE NOTICED*

**James F. Hermon**  
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**Michael A. Alaimo**  
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**Patrick F. Hickey**  
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**Paul A. Wilhelm**  
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*ATTORNEY TO BE NOTICED*

**Richard W. Warren**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Sears Holdings Corporation**

represented by **Brian M. Schwartz**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**James P. Feeney**  
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*ATTORNEY TO BE NOTICED*

**James F. Hermon**  
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*ATTORNEY TO BE NOTICED*

**Michael A. Alaimo**  
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*ATTORNEY TO BE NOTICED*

**Patrick F. Hickey**  
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**Paul A. Wilhelm**  
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**Richard W. Warren**  
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Date Filed	#	Docket Text
04/17/2007	<u>1</u>	COMPLAINT filed by Suzanne J. Novak, Ronnie Willms, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop against Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, Receipt No: 39130-DT - Fee: \$ 350. (SMar) (Entered: 04/17/2007)
04/18/2007	<u>2</u>	AMENDED COMPLAINT <i>and Jury Demand</i> filed by all plaintiffs against all defendants. (Fagan, Barry) (Entered: 04/18/2007)
05/01/2007	<u>3</u>	[FILING ERROR - CERTIFICATE OF SERVICE] CERTIFICATE of Service/Summons Returned Executed. Sears Holdings Corporation served on 4/19/2007, answer due 5/9/2007. (Fagan, Barry) Modified on 5/1/2007 (Martin, S.). (Entered: 05/01/2007)
05/01/2007	<u>4</u>	[FILING ERROR - CERTIFICATE OF SERVICE] CERTIFICATE of Service/Summons Returned Executed. Sears, Roebuck and Company served on 4/19/2007, answer due 5/9/2007. (Fagan, Barry) Modified on 5/1/2007 (Martin, S.). (Entered: 05/01/2007)
05/01/2007	<u>5</u>	[FILING ERROR - CERTIFICATE OF SERVICE] CERTIFICATE of Service/Summons Returned Executed. Sears Home Improvement Products, Incorporated served on 4/19/2007, answer due 5/9/2007. (Fagan, Barry) Modified on 5/1/2007 (Martin, S.). (Entered: 05/01/2007)
05/01/2007	<u>6</u>	ATTORNEY APPEARANCE: Michael A. Alaimo appearing on behalf of all defendants (Alaimo, Michael) (Entered: 05/01/2007)
05/09/2007	<u>7</u>	STIPULATED ORDER extending date to respond to <u>2</u> Amended Complaint to 6/22/07. Signed by Honorable George Caram Steeh. (MBea) (Entered: 05/09/2007)
06/22/2007	<u>8</u>	MOTION to Change Venue by all defendants. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 -Butcher v. Gerber Prods. Co., 1998 WL 437150 (S.D.N.Y. Aug. 3, 1998)# <u>3</u> Exhibit 2 - Affidavit of Teige McShane# <u>4</u> Exhibit 3 - Fox v. Massey Ferguson, Inc., 1995 WL 307485, * 2 (E.D. Mich. March 14, 1995)# <u>5</u> Exhibit 4 -Haidar v. Dayton Hudson Corp., 1996 U.S. Dist. LEXIS 18870, *5 (E.D. Mich. 1996)# <u>6</u> Exhibit 5 -Almeida v. Leonard Green, et al., 1995 U.S. District LEXIS 3246 (E.D. Mich. 1995)# <u>7</u> Exhibit 6 - Judicial Caseload Profiles for the Eastern District of Michigan and Middle District of Florida) (Alaimo, Michael) (Entered: 06/22/2007)
06/22/2007	<u>9</u>	MOTION to Dismiss <i>Plaintiffs' First Amended Complaint for Failure to File a Claim</i> by all defendants. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 -White v. American Axle & Manufacturing, 2006 WL 335710 (E.D. Mich. 2/14/06)# <u>3</u> Exhibit 2 - Reed v. MCI, 2005 WL 4827381 (E.D.N.C. 10/14/05)# <u>4</u> Exhibit 3 -Kulkarni v. City University of New York, 2002 WL 1315596 (S.D.N.Y. 6/14/02)# <u>5</u> Exhibit 4 - EEOC V. Honda, 2007 WL 1541364 (S.D. Ohio 5/23/07)# <u>6</u> Exhibit 5 - Mongo v. The Home Depot, Inc., 2003 WL 22227864 (N.D. Tex. 9/26/03)) (Alaimo, Michael) (Entered: 06/22/2007)
06/29/2007	<u>10</u>	NOTICE of hearing on <u>8</u> MOTION to Change Venue, <u>9</u> MOTION to Dismiss <i>Plaintiffs' First Amended Complaint for Failure to File a Claim</i> . <b>Responses due by 7/16/2007, Replies due by 7/26/2007, Motion Hearing set for 8/15/2007 10:30 AM before Honorable George Caram Steeh.</b> (MBea) (Entered: 06/29/2007)
07/05/2007	<u>11</u>	STIPULATED ORDER Extending Time Period for Plaintiff to Respond to Motions. Signed by Honorable George Caram Steeh. (CGre) (Entered: 07/05/2007)
07/05/2007	<u>12</u>	ATTORNEY APPEARANCE: Richard W. Warren appearing on behalf of all defendants (Warren, Richard) (Entered: 07/05/2007)
07/26/2007	<u>13</u>	ATTORNEY APPEARANCE: Darcie R. Brault appearing on behalf of all plaintiffs (Brault, Darcie) (Entered: 07/26/2007)
07/27/2007	<u>14</u>	RESPONSE to <u>8</u> MOTION to Change Venue filed by all plaintiffs. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit A - First Amended Complaint# <u>3</u> Exhibit B - August 1, 2005 letter from Denise Hopman to Caroline Stauss# <u>4</u> Exhibit C -

		August 2, 2005 letter from Denise Hopman to Caroline Stauss# <u>5</u> Exhibit D – June 30, 2006 letter from Jeanne Barlett to Brenda Hester) (Brault, Darcie) (Entered: 07/27/2007)
07/27/2007	<u>15</u>	RESPONSE to <u>9</u> MOTION to Dismiss <i>Plaintiffs' First Amended Complaint for Failure to File a Claim</i> filed by all plaintiffs. (Attachments: # <u>1</u> Document Continuation # <u>2</u> Index of Exhibits # <u>3</u> Exhibit A – First Amended Complaint) (Brault, Darcie) (Entered: 07/27/2007)
08/10/2007	<u>16</u>	REPLY to Response re <u>8</u> MOTION to Change Venue filed by all defendants. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 – Fox v. Massey Ferguson# <u>3</u> Exhibit 2 – Butcher v. Gerber Products Co) (Alaimo, Michael) (Entered: 08/10/2007)
08/10/2007	<u>17</u>	REPLY to Response re <u>9</u> MOTION to Dismiss <i>Plaintiffs' First Amended Complaint for Failure to File a Claim</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit White v. American Axle) (Alaimo, Michael) (Entered: 08/10/2007)
08/16/2007		Minute Entry –Motion Hearing held on 8/16/2007 re <u>8</u> MOTION to Change Venue filed by Sears, Roebuck and Company, et al, <u>9</u> MOTION to Dismiss <i>Plaintiffs' First Amended Complaint for Failure to File a Claim</i> filed by Sears, Roebuck and Company, et al, before Honorable George Caram Steeh. Disposition: taken under advisement(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 08/16/2007)
08/20/2007	<u>18</u>	ORDER denying <u>8</u> Defendants' Motion to Change Venue; denying without prejudice <u>9</u> Defendants' Motion to Dismiss. Signed by Honorable George Caram Steeh. (MBea) (Entered: 08/20/2007)
10/01/2007	<u>19</u>	ANSWER to Amended Complaint with Affirmative Defenses by all defendants. (Warren, Richard) (Entered: 10/01/2007)
10/02/2007	<u>20</u>	NOTICE TO APPEAR: <b>Scheduling Conference set for 11/5/2007 02:30 PM before Honorable George Caram Steeh</b> (MBea) (Entered: 10/02/2007)
10/18/2007	<u>21</u>	REPLY to <u>19</u> Answer to Amended Complaint ; <i>Reliance on Jury Demand; Proof of Service</i> by all plaintiffs. (Brault, Darcie) (Entered: 10/18/2007)
11/06/2007		Minute Entry –Scheduling Conference held on 11/6/2007 before Honorable George Caram Steeh. (MBea) (Entered: 11/06/2007)
11/06/2007	<u>22</u>	SCHEDULING ORDER: <b>Final Pretrial Conference set for 10/27/2008 10:00 AM; Jury Trial set for 11/4/2008 09:00 AM before Honorable George Caram Steeh, Dispositive Motion Cut-off set for 7/15/2008</b> Signed by Honorable George Caram Steeh. (Refer to image for additional dates) (MBea) (Entered: 11/06/2007)
11/21/2007	<u>23</u>	MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim</i> by all defendants. (Attachments: # <u>1</u> Index of Exhibits 1–8# <u>2</u> Exhibit 1. McKnight v. Gates cite# <u>3</u> Exhibit 2. Romero v. Allstate 2004 cite# <u>4</u> Exhibit 3. Romero v. Allstate March 2007 cite# <u>5</u> Exhibit 4. Romero v. Allstate June 2007 cite# <u>6</u> Exhibit 5. Reid v. Purkey cite# <u>7</u> Exhibit 6. Massey v. Inman cite# <u>8</u> Exhibit 7. Callazo v. BBDO cite# <u>9</u> Exhibit 8. Harris v. Radioshack Corp. cite) (Alaimo, Michael) (Entered: 11/21/2007)
11/27/2007	<u>24</u>	NOTICE of hearing on <u>23</u> MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim</i> . <b>Responses due by 12/17/2007, Replies due by 1/2/2008, Motion Hearing set for 2/7/2008 10:30 AM before Honorable George Caram Steeh.</b> (MBea) (Entered: 11/27/2007)
12/10/2007	<u>25</u>	STIPULATED ORDER extending date for defendants' reply brief to 1/7/08 re <u>23</u> MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim</i> Signed by Honorable George Caram Steeh. (MBea) (Entered: 12/10/2007)
12/17/2007	<u>26</u>	RESPONSE to <u>23</u> MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim</i> filed by all plaintiffs. (Attachments: # <u>1</u> Document Continuation # <u>2</u> Exhibit A – Complaint) (Brault, Darcie) (Entered: 12/17/2007)

01/02/2008	<u>27</u>	MOTION TO EXTEND Time to Respond to Interrogatories and Requests for Production of Documents Posed to Each of the Plaintiffs by all plaintiffs. (Brault, Darcie) (Entered: 01/02/2008)
01/04/2008	<u>28</u>	ORDER Referring Pretrial Matters (all future discovery motions) to Magistrate Judge Mona K Majzoub and <u>27</u> Motion to Extend. Signed by Honorable George Caram Steeh. (MBea) (Entered: 01/04/2008)
01/07/2008	<u>29</u>	REPLY to Response re <u>23</u> MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim – Reply Brief In Support Of Mtn</i> – filed by all defendants. (Attachments: # <u>1</u> Index of Exhibits 1–2# <u>2</u> Exhibit A, Romero, et al v Allstate Ins Co, et al# <u>3</u> Exhibit B McKnight v Gates) (Alaimo, Michael) (Entered: 01/07/2008)
01/07/2008	<u>30</u>	MOTION TO EXTEND Time to Respond to Plaintiffs' First Set of Discovery Requests by all defendants. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 – Plaintiffs' First Interrogatories# <u>3</u> Exhibit 2 – Plaintiffs' First Document Requests# <u>4</u> Exhibit 3 – December 28, 2007 correspondence to Plaintiffs' counsel# <u>5</u> Exhibit 4 – December 27, 2007 correspondence to Defense counsel) (Alaimo, Michael) (Entered: 01/07/2008)
01/14/2008	<u>31</u>	ORDER re <u>27</u> MOTION TO EXTEND Time to Respond to Interrogatories and Requests for Production of Documents: <b>Responses due by 2/8/2008</b> – Signed by Honorable Mona K Majzoub. (LBar) (Entered: 01/14/2008)
01/14/2008	<u>32</u>	ORDER re <u>30</u> MOTION TO EXTEND Time to Respond to Plaintiffs' First Set of Discovery Requests: <b>Responses due by 2/8/2008</b> – Signed by Honorable Mona K Majzoub. (LBar) (Entered: 01/14/2008)
01/14/2008		Set Deadlines as to <u>27</u> MOTION TO EXTEND Time to Respond to Interrogatories and Requests for Production of Documents and <u>30</u> MOTION TO EXTEND Time to Respond to Plaintiffs' First Set of Discovery Requests. <b>Responses due by 2/8/2008</b> (LBar) (Entered: 01/14/2008)
02/07/2008		Minute Entry –Motion Hearing held on 2/7/2008 re <u>23</u> MOTION to Dismiss <i>Plaintiffs' Disparate Treatment Age Discrimination Claim for Failure to State a Claim</i> filed by Sears, Roebuck and Company, et al before Honorable George Caram Steeh. Disposition: taken under advisement(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 02/07/2008)
02/08/2008	<u>33</u>	RESPONSE to <u>27</u> MOTION TO EXTEND Time to Respond to Interrogatories and Requests for Production of Documents Posed to Each of the Plaintiffs filed by all defendants. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 – Plaintiffs' First Interrogatories Directed to Defendants# <u>3</u> Exhibit 2 – Plaintiffs' First Request for Production of Documents# <u>4</u> Exhibit 3 – December 28, 2007 letter to Darcie Brault from Richard Warren# <u>5</u> Exhibit 4 – December 27, 2007 letter to Michael Alaimo from Darcie Brault) (Alaimo, Michael) (Entered: 02/08/2008)
02/08/2008	<u>34</u>	RESPONSE to <u>30</u> MOTION TO EXTEND Time to Respond to Plaintiffs' First Set of Discovery Requests filed by all plaintiffs. (Brault, Darcie) (Entered: 02/08/2008)
02/19/2008	<u>35</u>	REPLY to Response re <u>30</u> MOTION TO EXTEND Time to Respond to Plaintiffs' First Set of Discovery Requests filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Alaimo, Michael) (Entered: 02/19/2008)
02/25/2008	<u>36</u>	ORDER granting <u>23</u> Defendants' Motion to Dismiss Plaintiffs' disparate treatment age discrimination claim and allowing plaintiff to amend complaint. Signed by Honorable George Caram Steeh. (MBea) (Entered: 02/25/2008)
03/11/2008	<u>37</u>	AMENDED COMPLAINT with Jury Demand ( <i>2nd Amended</i> ) filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop against all defendants. (Brault, Darcie) (Entered: 03/11/2008)
03/25/2008	<u>38</u>	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Warren, Richard) (Entered: 03/25/2008)

		03/25/2008)
03/31/2008	<u>39</u>	<i>Plaintiffs'</i> WITNESS LIST by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop (Brault, Darcie) (Entered: 03/31/2008)
03/31/2008	<u>40</u>	<i>Defendants' Preliminary</i> WITNESS LIST by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Warren, Richard) (Entered: 03/31/2008)
04/16/2008	<u>41</u>	MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 04/16/2008)
04/16/2008	<u>42</u>	MOTION to Compel <i>Discovery</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint, # <u>3</u> Exhibit B – November 28, 2007 & April 8, 2008 letters to defense counsel from Plaintiffs' counsel, # <u>4</u> Exhibit C – Plaintiffs First Request for Production of Documents, # <u>5</u> Exhibit D – Responses and Objections to Plaintiffs First Request for Production of Documents, # <u>6</u> Index of Exhibits E – Plaintiffs First Interrogatories Directed to Defendants, # <u>7</u> Exhibit F – Answers and Objections to Plaintiffs First Interrogatories Directed to Defendants) (Brault, Darcie) (Entered: 04/16/2008)
04/16/2008	<u>43</u>	ORDER granting <u>27</u> Motion to Extend and <u>30</u> Motion to Extend – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 04/16/2008)
04/17/2008	<u>44</u>	MOTION to Compel by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Defendants' First Set of Interrogatories (Allen), # <u>3</u> Exhibit 2 – Defendants' First Set of Interrogatories (DeRosa), # <u>4</u> Exhibit 3 – Defendants' First Set of Interrogatories (Magness), # <u>5</u> Exhibit 4 – Defendants' First Set of Interrogatories (McKillop), # <u>6</u> Exhibit 5 – Defendants' First Set of Interrogatories (Murphy), # <u>7</u> Exhibit 6 – Defendants' First Set of Interrogatories (Novak), # <u>8</u> Exhibit 7 – Defendants' First Set of Interrogatories (Willms), # <u>9</u> Exhibit 8 – Defendants' First Set of Request for Production (Allen), # <u>10</u> Exhibit 9 – Defendants' First Set of Request for Production (DeRosa), # <u>11</u> Exhibit 10 – Defendants' First Set of Request for Production (Magness), # <u>12</u> Exhibit 11 – Defendants' First Set of Request for Production (McKillop), # <u>13</u> Exhibit 12 – Defendants' First Set of Request for Production (Willms), # <u>14</u> Exhibit 13 – Defendants' First Set of Request for Production (Murphy), # <u>15</u> Exhibit 14 – Defendants' First Set of Request for Production (Novak), # <u>16</u> Exhibit 15 – Cumberland Truck Equip Co. v. Detroit Diesel Corp (unpublished case)) (Warren, Richard) (Entered: 04/17/2008)
04/21/2008	<u>45</u>	NOTICE of hearing on <u>44</u> MOTION to Compel, <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order, <u>42</u> MOTION to Compel <i>Discovery</i> . <b>Responses due by 5/2/2008, JOINT Statement of Resolved/Unresolved Issues due by 5/21/2008 and Motion Hearing set for 5/28/2008 @ 01:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 04/21/2008)
04/21/2008		Set Deadlines as to <u>42</u> MOTION to Compel <i>Discovery</i> , <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order and <u>44</u> MOTION to Compel. <b>Responses due by 5/2/2008, Resolved/Unresolved Issues due by 5/21/2008 and Motion Hearing set for 5/28/2008 01:30 PM before Magistrate Judge Mona K Majzoub</b> (LBar) (Entered: 04/21/2008)
04/21/2008	<u>46</u>	AMENDED NOTICE of hearing on <u>44</u> MOTION to Compel, <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order and <u>42</u> MOTION to Compel <i>Discovery</i> . <b>Responses due by 5/2/2008, Resolved/Unresolved Issues due by 6/2/2008 and Motion Hearing set for 6/9/2008 01:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 04/21/2008)
04/21/2008		Set Deadlines as to <u>42</u> MOTION to Compel <i>Discovery</i> , <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order and <u>44</u> MOTION to Compel. <b>Responses due by 5/2/2008, JOINT Statement of Resolved/Unresolved Issues due by 6/2/2008</b>



		<b>and Motion Hearing set for 6/9/2008 01:30 PM before Magistrate Judge Mona K Majzoub</b> (LBar) (Entered: 04/21/2008)
04/21/2008	<u>47</u>	SECOND AMENDED NOTICE of hearing on <u>44</u> MOTION to Compel, <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order and <u>42</u> MOTION to Compel <i>Discovery</i> . <b>Responses due by 5/2/2008, JOINT Statment of Resolved/Unresolved Issues due by 6/2/2008 and Motion Hearing set for 6/9/2008 @ 01:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 04/21/2008)
05/02/2008	<u>48</u>	RESPONSE to <u>44</u> MOTION to Compel filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 05/02/2008)
05/02/2008	<u>49</u>	RESPONSE to <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order, filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Warren, Richard) (Entered: 05/02/2008)
05/02/2008	<u>50</u>	RESPONSE to <u>42</u> MOTION to Compel <i>Discovery</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Documents Produced to Plaintiff on February 15, 2008, # <u>3</u> Exhibit 2 – Supplemental Answers and Objections, # <u>4</u> Exhibit 3 – Documents Produced to Plaintiff on February 15, 2008, # <u>5</u> Exhibit 4 – Documents Produced to Plaintiff on February 15, 2008, # <u>6</u> Exhibit 5 – Order in the Caudill, et al v. Sears matter, # <u>7</u> Exhibit 6 – April 24, 2008 Letter to Plaintiff) (Warren, Richard) (Entered: 05/02/2008)
05/07/2008	<u>51</u>	MOTION to Compel by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits Index of Exhibits, # <u>2</u> Exhibit 1 – Notice of Deposition (Garold Allen), # <u>3</u> Exhibit 2 – Notice of Deposition (Sylvestor Derosa), # <u>4</u> Exhibit 3 – Notice of Deposition (Plaintiff Magness), # <u>5</u> Exhibit 4 – Notice of Deposition (Plaintiff McKillop), # <u>6</u> Exhibit 5 – Notice of Deposition (Plaintiff Murphy), # <u>7</u> Exhibit 6 – Notice of Deposition (Plaintiff Novak), # <u>8</u> Exhibit 7 – Notice of Deposition (Plaintiff Willms), # <u>9</u> Exhibit 8 – Letter from Plaintiffs' Counsel to Defense Counsel) (Warren, Richard) (Entered: 05/07/2008)
06/02/2008	<u>52</u>	STATEMENT of Resolved and Unresolved Issues by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop (Brault, Darcie) (Entered: 06/02/2008)
06/02/2008	<u>53</u>	REPLY to Response re <u>44</u> MOTION to Compel filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Garold Allen's Discovery Responses, # <u>3</u> Exhibit 2 – Sylvester DeRosa's Discovery Responses, # <u>4</u> Exhibit 3 – Walter Magness' Discovery Responses, # <u>5</u> Exhibit 4 – David McKillop's Discovery Responses, # <u>6</u> Exhibit 5 – Donald Murphy's Discovery Responses, # <u>7</u> Exhibit 6 – Suzanne J. Novak's Discovery Responses, # <u>8</u> Exhibit 7 – Ronnie Willms' Discovery Responses, # <u>9</u> Exhibit 8 – May 16, 2008 letter re discovery) (Warren, Richard) (Entered: 06/02/2008)
06/02/2008	<u>54</u>	STATEMENT of Resolved and Unresolved Issues by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Email exchange, # <u>3</u> Exhibit 2 – May 30, 2008 Letter from Brault, # <u>4</u> Exhibit 3 – May 16, 2008 Letter from Warren) (Warren, Richard) (Entered: 06/02/2008)
06/09/2008		Minute Entry –Motion Hearing held on 6/9/2008 re <u>44</u> MOTION to Compel filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, <u>41</u> MOTION TO EXTEND All Dates re <u>22</u> Scheduling Order, filed by Ronnie Willms, Walter Magness, Garold Allen, Suzanne J. Novak, Donald Murphy, Sylvestor J. Derosa, David McKillop, <u>42</u> MOTION to Compel <i>Discovery</i> filed by Ronnie Willms, Walter Magness, Garold Allen, Suzanne J. Novak, Donald Murphy, Sylvestor J. Derosa, David McKillop before Magistrate Judge Mona K Majzoub. Disposition: Taken Under Advisement (Tape #MKM-6/9/08) (VSim) (Entered: 06/09/2008)

06/10/2008	<u>55</u>	ORDER granting <u>41</u> Motion to Extend; denying <u>42</u> Motion to Compel; granting <u>44</u> Motion to Compel and granting <u>51</u> Motion to Compel – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 06/10/2008)
06/19/2008	<u>56</u>	OBJECTION to <u>55</u> Order on Motion to Extend, Order on Motion to Compel,, <i>to Portion of Magistrate Judge Ruling Dated June 10, 2008</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint and Jury Demand, # <u>3</u> Exhibit B – Plaintiffs' responses to Defendants' discovery, # <u>4</u> Document Continuation, # <u>5</u> Document Continuation, # <u>6</u> Document Continuation, # <u>7</u> Document Continuation, # <u>8</u> Document Continuation, # <u>9</u> Document Continuation, # <u>10</u> Exhibit C – May 16, May 21 & May 22 correspondence to and from defense counsel) (Brault, Darcie) (Entered: 06/19/2008)
06/19/2008	<u>57</u>	MOTION to Stay re <u>55</u> Order on Motion to Extend, Order on Motion to Compel,, by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – 6/10/08 Opinion and Order Resolving Pending Discovery Motions, # <u>3</u> Exhibit 2 – 12/07/07 Caudill, et al. v. Sears, et al. Order, # <u>4</u> Exhibit 3 – Schering Corp. v. Caraco Phar, et al (Unpublished Case)) (Warren, Richard) (Entered: 06/19/2008)
06/23/2008	<u>58</u>	MOTION to Stay re <u>55</u> Order on Motion to Extend, Order on Motion to Compel,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 06/23/2008)
06/24/2008	<u>59</u>	OBJECTION to <u>55</u> Order on Motion to Extend, Order on Motion to Compel,, by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – May 16, 2008 letter to Plaintiff's counsel, # <u>3</u> Exhibit 2 – June 10, 2008 Order of the Magistrate Judge, # <u>4</u> Exhibit 3 – Defendants' June 9, 2008 Supplemental Answers to Interrogatories, # <u>5</u> Exhibit 4 – Defendants' May 2, 2008 Supplemental Answers to Interrogatories, # <u>6</u> Exhibit 5 – Defendants' February 15, 2008 Supplemental Answers to Interrogatories, # <u>7</u> Exhibit 6 – Bates Nos. Sears/Allen 00011–00016 produced by Plaintiff, # <u>8</u> Exhibit 7 – Excerpts of Plf Allen's Interrogatory Answers, # <u>9</u> Exhibit 8 – Excerpt of Plf Derosa's Interrogatory Answers, # <u>10</u> Exhibit 9 – Defendants' February 15, 2008 Supplemental Responses to Document Requests, # <u>11</u> Exhibit 10 – Bates Nos Sears/Allen 00073–00079 produced to Plaintiff, # <u>12</u> Exhibit 11 – Bates Nos Sears/Allen 00096–00105 produced to Plaintiffs, # <u>13</u> Exhibit 12 – Judge Tarnow's December 4, 2007 Order) (Warren, Richard) Modified on 6/24/2008 (PMil).[IMAGE OF OBJECTION IS MISSING] (Entered: 06/24/2008)
06/24/2008	<u>60</u>	OBJECTION to <u>55</u> Order on Motion to Extend, Order on Motion to Compel,, by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits Index, # <u>2</u> Exhibit 1 – May 16, 2008 letter to Plaintiffs' Counsel, # <u>3</u> Exhibit 2 – June 10, 2008 Order of the Magistrate Judge, # <u>4</u> Exhibit 3 – Defendants' June 9, 2008 Supplemental Answers to Interrogatories, # <u>5</u> Exhibit 4 – Defendants' May 2, 2008 Supplemental Answers to Interrogatories, # <u>6</u> Exhibit 5 – Defendants' February 15, 2008 Supplemental Answers to Interrogatories, # <u>7</u> Exhibit 6 – Sears/Allen–00011 to Sears/Allen–00016; produced to Plaintiffs, # <u>8</u> Exhibit 7 – Excerpts of Plaintiff Allen's Interrogatory Answers, # <u>9</u> Exhibit 8 – Excerpt of Plaintiff Derosa's Interrogatory Answers, # <u>10</u> Exhibit 9 – Defendants' February 15, 2008 Supplemental Responses to Document Requests, # <u>11</u> Exhibit 10 – Sears/Allen–00073 to Sears/Allen–00079; produced to Plaintiffs, # <u>12</u> Exhibit 11 – Sears/Allen–00096 to Sears/Allen–000105; produced to Plaintiffs, # <u>13</u> Exhibit 12 – Judge Tarnow's December 4, 2007 Order) (Warren, Richard) (Entered: 06/24/2008)
06/26/2008	<u>61</u>	ORDER regarding Plaintiffs' and Defendants' Cross–Objections to the Magistrate Judge's 6/10/08 Opinion and Order Resolving pending Discovery Motions – Docket Number 41, 42,44,51 and Amended SCHEDULING ORDER Dates: <b>Discovery cut–off 12/31/2008, Dispositive Motions and Class Certification Motions Cut–off set for 2/15/2009, Final Pretrial Conference re–set for</b>

		<b>5/26/2009 09:00 AM, Jury Trial re-set for 6/2/2009 09:00 AM before District Judge George Caram Steeh</b> ). Motions terminated: <u>57</u> <u>58</u> MOTIONS to Stay re <u>55</u> Order on Motion to Extend, Order on Motion to Compel. Signed by District Judge George Caram Steeh. (Refer to image for additional dates) (MBea) (Entered: 06/26/2008)
07/07/2008	<u>62</u>	STIPULATED PROTECTIVE ORDER relative to personal financial information of the plaintiffs. Signed by District Judge George Caram Steeh. (MBea) (Entered: 07/07/2008)
07/25/2008	<u>63</u>	MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – June 26, 2008 Order, # <u>3</u> Exhibit 2 – Defendants' Second Supplemental Answers to Plaintiffs' First Interrogatories, # <u>4</u> Exhibit 3 – Plaintiffs' First Interrogatories, # <u>5</u> Exhibit 4 – Plaintiffs' Supplemental Responses to Interrogatories, # <u>6</u> Exhibit 5 – Supplemental Responses to Plaintiff's Responses to Requests for Production of Documents, # <u>7</u> Exhibit 6 – Integration Announcements to HVAC Sales associates dated 10/24/04, 11/19/04) (Warren, Richard) (Exhibit 2 Removed – See Document <u>81</u> for Image) (Entered: 07/25/2008)
07/28/2008	<u>64</u>	MOTION to Strike <i>Exhibit 2 of Document <u>63</u> and Replace with Redacted Exhibit</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Exhibit Redacted Exhibit) (Warren, Richard) Modified on 7/28/2008 (KCla) [Terminated: WRONG DOCUMENT]. (Entered: 07/28/2008)
07/28/2008	<u>65</u>	MOTION to Strike <i>Exhibit 2 to Document <u>63</u> and replace with Redacted Exhibit</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Exhibit Redacted Exhibit) (Warren, Richard) (Entered: 07/28/2008)
07/28/2008	<u>66</u>	MOTION to Compel <i>CROSS-MOTION REGARDING UNRESOLVED DISCOVERY ISSUES</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint, # <u>3</u> Exhibit B – Privilege Log Provided by Plaintiffs, # <u>4</u> Exhibit C – Connelly v. Dun & Bradstreet, Inc.) (Brault, Darcie) (Entered: 07/28/2008)
08/08/2008	<u>67</u>	ORDER re <u>63</u> MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008: ( <b>Responses due by 8/11/2008, Resolved/Unresolved Issues due by 9/17/2008</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 08/08/2008)
08/08/2008	<u>68</u>	ORDER re <u>66</u> MOTION to Compel <i>CROSS-MOTION REGARDING UNRESOLVED DISCOVERY ISSUES</i> : ( <b>Responses due by 8/14/2008, Resolved/Unresolved Issues due by 9/17/2008</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 08/08/2008)
08/08/2008		Set Deadlines as to <u>66</u> MOTION to Compel <i>CROSS-MOTION REGARDING UNRESOLVED DISCOVERY ISSUES</i> . <b>Responses due by 8/14/2008 and Resolved/Unresolved Issues due by 9/17/2008</b> (LBar) (Entered: 08/08/2008)
08/08/2008		Set Deadlines as to <u>63</u> MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues Identified the Court's Order: <b>Responses due by 8/11/2008 and Resolved/Unresolved Issues due by 9/17/2008</b> (LBar) (Entered: 08/08/2008)
08/11/2008	<u>69</u>	RESPONSE to <u>63</u> MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,,

		Terminate Motions,,, filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Formal Opinion 07–445) (Brault, Darcie) (Entered: 08/11/2008)
08/14/2008	<u>70</u>	RESPONSE to <u>66</u> MOTION to Compel <i>CROSS–MOTION REGARDING UNRESOLVED DISCOVERY ISSUES</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits Index, # <u>2</u> Exhibit 1 – Second Supplemental Answers to Plaintiffs Interrogatories, # <u>3</u> Exhibit 2 – Plaintiffs' First Interrogatories, # <u>4</u> Exhibit 3 – Plaintiffs' Responses to Defendants First Interrogatories, # <u>5</u> Exhibit 4 – Plaintiffs' Response to Defendants First Doc Requests, # <u>6</u> Exhibit 5 – Integration Announcements to HVAC sales associates, # <u>7</u> Exhibit 6 – Affidavit of Shlomo Sawilowsky, # <u>8</u> Exhibit 7 – Complaint in Caudill, et al v. Sears, Roebuck and Co., et al) (Alaimo, Michael) (Entered: 08/14/2008)
08/20/2008	<u>71</u>	REPLY to Response re <u>63</u> MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues raised at Page 4 in the Court's June 26, 2008 Order re <u>61</u> Scheduling Order,,,, Terminate Motions,,, filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – 08/12/08 Correspondence to Plaintiffs, # <u>3</u> Exhibit 2 – Affidavit of Shlomo Sawilowsky, Ph.D.) (Warren, Richard) (Entered: 08/20/2008)
09/17/2008	<u>72</u>	STATEMENT of Resolved and Unresolved Issues by Suzanne J. Novak, Ronnie Willms, Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop (Warren, Richard) (Entered: 09/17/2008)
09/23/2008	<u>73</u>	Second MOTION to Compel <i>Discovery</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Plaintiffs First Interrogatories Directed to Defendants, # <u>3</u> Exhibit B – Order Regarding Plaintiffs and Defendants Cross–Objections to the Magistrate Judges June 10, 2008 Opinion and Order Resolving Pending Discovery Motions Docket Numbers 41, 42, 44, 51, # <u>4</u> Exhibit C – August 15, 2008 and September 5, 2008 letter from defense counsel, # <u>5</u> Exhibit D – Email string 8–05–08 08–12–08 & 08–15–08, # <u>6</u> Exhibit E – Plaintiffs First Request for Admissions to Defendants and Interrogatories, # <u>7</u> Exhibit F – Defendants Answers and Objections to Plaintiffs First Request for Admissions and Interrogatories) (Brault, Darcie) (Entered: 09/23/2008)
09/29/2008	<u>74</u>	ORDER re <u>73</u> Second MOTION to Compel <i>Discovery</i> . Set Motion and RRDeadlines: ( <b>Responses due by 10/7/2008</b> and <b>JOINT STATEMENT of Resolved/Unresolved Issues due by 10/31/2008</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 09/29/2008)
09/29/2008		Set Deadlines as to <u>73</u> Second MOTION to Compel <i>Discovery</i> . <b>Responses due by 10/7/2008</b> and <b>JOINT STATEMENT of Resolved/Unresolved Issues due by 10/31/2008</b> (LBar) (Entered: 09/29/2008)
10/07/2008	<u>75</u>	RESPONSE to <u>73</u> Second MOTION to Compel <i>Discovery</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Third Supplemental Answers and Objections to Plaintiffs' First Interrogatories, # <u>3</u> Exhibit 2 – 10/07/08 letter to Ms. Brault enclosing privilege log, # <u>4</u> Exhibit 3 – HVAC Sales Associate List, # <u>5</u> Exhibit 4 – Attachment to Plaintiffs' 6/27/08 Supplemental Responses, # <u>6</u> Exhibit 5 – Exhibit 2 to Defendants' Second

		Supplemental Responses) (Warren, Richard) (Entered: 10/07/2008)
10/31/2008	<u>76</u>	STATEMENT of Resolved and Unresolved Issues by Suzanne J. Novak, Ronnie Willms, Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop (Warren, Richard) (Entered: 10/31/2008)
11/06/2008	<u>77</u>	NOTICE of hearing on <u>63</u> MOTION regarding Unresolved Discovery Issues in the Court's June 26, 2008 Order <b>Motion Hearing set for 11/20/2008 11:00 AM before District Judge George Caram Steeh.</b> (MBea) (Entered: 11/06/2008)
11/20/2008		Minute Entry –Motion Hearing held on 11/20/2008 re <u>63</u> MOTION Ruling in Defendants' Favor as to the Unresolved Discovery Issues, <u>66</u> <i>CROSS-MOTION REGARDING UNRESOLVED DISCOVERY ISSUES</i> before District Judge George Caram Steeh. Disposition: taken under advisement(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 11/20/2008)
11/25/2008	<u>78</u>	ORDER granting in part and denying in part <u>63</u> Motion for Ruling in Defendants' Favor as to the Unresolved Discovery Issues and granting in part and denying in part <u>66</u> Plaintiffs' Cross Motion Regarding Unresolved Discovery Issues. Signed by District Judge George Caram Steeh. (CGre) (Entered: 11/25/2008)
12/16/2008	<u>79</u>	MOTION TO EXTEND Discovery by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/16/2008)
12/17/2008	<u>80</u>	Third MOTION to Compel <i>Discovery</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint, # <u>3</u> Exhibit B – November 12, 2008 correspondence to defense counsel, # <u>4</u> Exhibit C – November 17, 2008 correspondence to defense counsel, # <u>5</u> Exhibit D – Privilege Log, # <u>6</u> Exhibit E – Defendants Responses and Objections to Plaintiffs Fifth Request for Production of Documents (without attachments), # <u>7</u> Exhibit F – Defendants Responses and Objections to Plaintiffs Sixth Request for Production of Documents, # <u>8</u> Exhibit G – Defendants Objections and Responses to Plaintiffs Seventh Request for Production of Documents and Third Interrogatories Directed to Defendants) (Brault, Darcie) (Entered: 12/17/2008)
12/18/2008	<u>81</u>	ORDER granting <u>65</u> Motion to Strike Exhibit 2 – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 12/18/2008)
12/23/2008	<u>82</u>	RESPONSE to <u>79</u> MOTION TO EXTEND Discovery filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Powell v. Honda of America, # <u>3</u> Exhibit 2 – Defendants' March 31, 2008 Witness List, # <u>4</u> Exhibit 3 – Deposition Excerpts of Tiegie McShane, # <u>5</u> Exhibit 4 – Deposition Excerpts of Tiegie McShane from Caudill, et al., # <u>6</u> Exhibit 5 – Scheduling Order dated June 26, 2008, # <u>7</u> Exhibit 6 – Raines v. Goedde) (Warren, Richard) (Entered: 12/23/2008)
12/24/2008	<u>83</u>	REPLY to Response re <u>79</u> MOTION TO EXTEND Discovery filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>84</u>	MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit C – Excerpts from the deposition transcript of Suzanne Novak, # <u>3</u> Exhibit H – Notice of Pendency and Consent to Join) (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>85</u>	<b>SEALED</b> EXHIBIT A – June 27, 2005 email re: HVAC Sales Rep Retention as of June 24, 2005 (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)

12/24/2008	<u>86</u>	<b>SEALED</b> EXHIBIT B – August 22, 2006 email re: Sales Rep Comp: HVAC vs. SHIP (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class Conditionally Certify a Collective Action Under the ADEA by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>87</u>	<b>SEALED</b> EXHIBIT D – SHIP Integration of HVAC and CSG (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class Conditionally Certify a Collective Action Under the ADEA by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>88</u>	<b>SEALED</b> EXHIBIT E – August 17, 2004 email re: Demographic Analysis: Comparison of SHIP, HVAC and CSG (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class Conditionally Certify a Collective Action Under the ADEA by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>89</u>	<b>SEALED</b> EXHIBIT F – Draft Option Review for Pension Retiree Medical (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class Conditionally Certify a Collective Action Under the ADEA by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/24/2008	<u>90</u>	<b>SEALED</b> EXHIBIT G – HVAC Sales Associates, Over 40 at Time of Transition, Separated in 2004–2006 (FILED UNDER SEAL) re <u>84</u> MOTION to Certify Class Conditionally Certify a Collective Action Under the ADEA by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 12/24/2008)
12/29/2008	<u>91</u>	MOTION to Quash by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Subpoena, # <u>3</u> Exhibit 2 – Excerpts from Mark Good's Deposition, # <u>4</u> Exhibit 3 – White Mule Co. v. ATC Leasing Co. LLC, 2008 WL 2680273 (N.D. Ohio 2008), # <u>5</u> Exhibit 4 – Fleet Business Credit Corp. v. Hill City Oil Co., 2002 WL 1483879 (W.D. Tenn. 2002), # <u>6</u> Exhibit 5 – Mapquest Printout, # <u>7</u> Exhibit 6 – Mann v. Univ. of Cincinnati, 1997 WL 280188 (6th Cir. May 27, 1997), # <u>8</u> Exhibit 7 – Spartanburg Regional Healthcare System v. Hillenbrand Industries, 2005 WL 2571943 (W.D. Mich. 2005), # <u>9</u> Exhibit 8 – Winnett v. Caterpillar, 2008 WL 399301 (M.D. Tenn. Feb. 6, 2008)) (Warren, Richard) [DOCUMENT IS TITLED "MOTION FOR A PROTECTIVE ORDER, OR, IN THE ALTERNATIVE, TO QUASH PLAINTIFF'S SUBPOENA DIRECTED AT A.T. KEARNEY"]. Modified on 12/29/2008 (THal). (Entered: 12/29/2008)
01/05/2009	<u>92</u>	RESPONSE to <u>80</u> Third MOTION to Compel Discovery filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Defendants' Supplemental Responses and Objections to Plaintiffs' Fifth Request for Production of Documents, # <u>3</u> Exhibit 2 – 01/05/09 Email from Defense counsel to Plaintiffs' counsel, # <u>4</u> Exhibit 3 – 06/26/08 Discovery and Scheduling Order, # <u>5</u> Exhibit 4 – Plaintiffs' Witness List, # <u>6</u> Exhibit 5 – Caudill v. Sears Order dated 12/04/07, # <u>7</u> Exhibit 6 – Defendants' Supplemental Responses and Objections to Plaintiffs' Sixth Request for Production of Documents, # <u>8</u> Exhibit 7 – Plaintiffs' Privilege Log) (Warren, Richard) (Entered: 01/05/2009)
01/06/2009	<u>93</u>	ORDER granting in part <u>79</u> Motion to Extend Discovery – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 01/06/2009)
01/06/2009	<u>94</u>	ORDER granting in part and denying in part <u>73</u> Second Motion to Compel Discovery – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 01/06/2009)
01/08/2009	<u>95</u>	ORDER re <u>78</u> REPORT ON REVIEW OF CONTACT FILES – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 01/08/2009)
01/12/2009	<u>96</u>	ORDER re <u>80</u> Third MOTION to Compel Discovery Joint Statement of Resolved and Unresolved Issues to be efiled on or before January 30, 2009. No Hearing will be Scheduled – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 01/12/2009)

		01/12/2009)
01/12/2009		Set Deadlines as to <u>80</u> Third MOTION to Compel <i>Discovery</i> . <b>JOINT STATEMENT of Resolved/Unresolved Issues due by 1/30/2009</b> (LBar) (Entered: 01/12/2009)
01/12/2009	<u>97</u>	ORDER re <u>91</u> MOTION to Quash. Set Motion Deadlines: ( <b>Responses due by 1/15/2009</b> and <b>JOINT STATEMENT of Resolved/Unresolved Issues due by 1/30/2009</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 01/12/2009)
01/12/2009		Set Deadlines as to <u>91</u> MOTION to Quash. <b>Responses due by 1/15/2009 and JOINT Statement of Resolved/Unresolved Issues due by 1/30/2009</b> (LBar) (Entered: 01/12/2009)
01/14/2009	<u>98</u>	OBJECTION to <i>Plaintiffs' Rule 30(B)(6) Deposition Notice</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Plaintiffs' Rule 30(B)(6) Deposition Notice, # <u>3</u> Exhibit 2 – 12/23/08 letter to Plaintiffs' counsel) (Warren, Richard) (Entered: 01/14/2009)
01/15/2009	<u>99</u>	RESPONSE to <u>91</u> MOTION to Quash <i>Subpoena Directed at A.T. Kearney</i> filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Excerpts from the deposition of Mark Good, # <u>3</u> Exhibit B – Subpoena to A. T. Kearney, Inc.) (Brault, Darcie) (Entered: 01/15/2009)
01/19/2009	<u>100</u>	REPLY to Response re <u>80</u> Third MOTION to Compel <i>Discovery</i> filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Defendants Answers and Objections to Plaintiffs Interrogatories to All Defendants Regarding Witnesses, # <u>3</u> Index of Exhibits B – Excerpts from the deposition of Teige McShane, # <u>4</u> Exhibit C – Privilege Log) (Brault, Darcie) (Entered: 01/19/2009)
01/21/2009	<u>101</u>	STIPULATED ORDER extending date for response to <u>84</u> MOTION to <i>Conditionally Certify a Collective Action Under the ADEA</i> : <b>Responses due by 2/2/2009</b> . Signed by District Judge George Caram Steeh. (MBea) (Entered: 01/21/2009)
01/29/2009	<u>102</u>	NOTICE by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation of withdrawal of <u>91</u> MOTION to Quash. (Warren, Richard) (Entered: 01/29/2009)
01/29/2009	<u>103</u>	STIPULATED PROTECTIVE ORDER relative to documents produced by non-party A.T. Kearney, Inc. Signed by District Judge George Caram Steeh. (MBea) (Entered: 01/29/2009)
01/30/2009	<u>104</u>	NOTICE TO APPEAR IN ANN ARBOR: <b>Facilitation set for 3/9/2009 10:00 AM before Magistrate Judge Steven D Pepe</b> (VSim) (Entered: 01/30/2009)
01/30/2009	<u>105</u>	RESPONSE to <u>84</u> MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Deposition Excerpts of Teige McShane, # <u>3</u> Exhibit 2 – Deposition Excerpts of Mark Good, # <u>4</u> Exhibit 3 – Email from Mark Good dated 4/30/04, # <u>5</u> Exhibit 4 – Deposition Excerpts of John Williams, # <u>6</u> Exhibit 5 – Deposition Excerpts of Joe Steenbeke, # <u>7</u> Exhibit 6 – HVAC History Growth Chart, # <u>8</u> Exhibit 7 – Deposition Excerpts of Suzanne Novak, # <u>9</u> Exhibit 8 – Deposition Excerpts of Franklin Magness, # <u>10</u> Exhibit 9 – Deposition Excerpts of Donald Murphy, # <u>11</u> Exhibit 10 – Complaint in Caudill, et al. v. Sears, et al., # <u>12</u> Exhibit 11 – Whittum v. Saginaw County (unpublished case)) (Warren, Richard) (Entered: 01/30/2009)
01/30/2009	<u>106</u>	STATEMENT of Resolved and Unresolved Issues by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop (Brault, Darcie) (Entered: 01/30/2009)

02/04/2009	<u>107</u>	STIPULATED ORDER REFERRING MATTER to *Magistrate Judge Steven D Pepe* for Facilitation. Signed by District Judge George Caram Steeh. (MBea) (Entered: 02/04/2009)
02/06/2009	<u>108</u>	STRIKEN SEE DOCUMENT <u>110</u> FOR IMAGE — SUR—REPLY re <u>80</u> Third MOTION to Compel <i>Discovery</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Warren, Richard) Modified on 2/9/2009 (LBar). (Entered: 02/06/2009)
02/09/2009	<u>109</u>	OBJECTION to <u>108</u> Sur—Reply <i>in Response to Plaintiffs' Reply in Support of Third Motion to Compel</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/09/2009)
02/09/2009	<u>110</u>	ORDER STRIKING <u>108</u> Sur—Reply – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 02/09/2009)
02/10/2009	<u>111</u>	REPLY to Response re <u>84</u> MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit E – Dennis Declaration, # <u>3</u> Exhibit L – Shollenbarger v. Planes Moving & Storage, 2008 U.S. App. LEXIS 22002, 6–7 (6th Cir. 2008), # <u>4</u> Exhibit GOOD – Excerpts from the deposition of Mark Good, # <u>5</u> Exhibit MAGNESS – Excerpts from the deposition of Walter Magness, # <u>6</u> Exhibit McSHANE– Excerpts from the deposition of Tieghe McShane, # <u>7</u> Exhibit NOVAK – Excerpts from the deposition of Suzanne Novak, # <u>8</u> Exhibit STEENBEKE – Excerpts from the deposition of Joe Steenbeke, # <u>9</u> Exhibit WILLIAMS – Excerpts from the deposition of John Williams) (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>112</u>	<b>SEALED</b> EXHIBIT A – <i>Novak–00121 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>113</u>	<b>SEALED</b> EXHIBIT B – <i>Sears 00154 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>114</u>	<b>SEALED</b> EXHIBIT C – <i>Sears–00169 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>115</u>	<b>SEALED</b> EXHIBIT D – <i>Record of SHIP/HVAC Sales for Plaintiffs (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>116</u>	<b>SEALED</b> EXHIBIT F – <i>Sears/Allen–46478 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>117</u>	<b>SEALED</b> EXHIBIT G – <i>Sears/Allen–30490 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>118</u>	<b>SEALED</b> EXHIBIT H – <i>Sears–00304 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>119</u>	<b>SEALED</b> EXHIBIT I – <i>Sears/Allen 38704 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault,



		Darcie) (Entered: 02/10/2009)
02/10/2009	<u>120</u>	<b>SEALED</b> EXHIBIT <i>J</i> – <i>Sears/Allen 81885 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/10/2009	<u>121</u>	<b>SEALED</b> EXHIBIT <i>K</i> – <i>Sears/Allen-46478 (FILED UNDER SEAL)</i> re <u>111</u> Reply to Response to Motion,,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/10/2009)
02/11/2009	<u>122</u>	Ex Parte MOTION for Leave to File Excess Pages <i>to File Reply to Defendants' Response to Plaintiffs' Motion to Conditionally Certify a Collective Action Under the ADEA</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 02/11/2009)
02/12/2009		TEXT-ONLY ORDER GRANTING <u>122</u> Ex Parte MOTION for Leave to File Excess Pages not to exceed 18 pages <i>to File Reply to Defendants' Response to Plaintiffs' Motion to Conditionally Certify a Collective Action Under the ADEA</i> filed by Ronnie Willms, Walter Magness, Garold Allen, Suzanne J. Novak, Donald Murphy, Sylvestor J. Derosa, David McKillop. Entered by District Judge George Caram Steeh. (MBea) (Entered: 02/12/2009)
02/17/2009	<u>123</u>	STIPULATED ORDER to adjourn dispositive motion cutoff date and stay consideration of Plaintiffs' MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> <u>84</u> Signed by District Judge George Caram Steeh. (MBea) (Entered: 02/17/2009)
02/18/2009	<u>124</u>	STIPULATED ORDER permitting the parties to conduct depositions of expert witnesses, if necessary, beyond the current discovery deadline. Signed by District Judge George Caram Steeh. (MBea) (DHam). [ORDER TO REMOVE IMAGE ADDED] Modified on 2/19/2009 (DHam). (Entered: 02/18/2009)
02/18/2009	<u>126</u>	STIPULATED ORDER permitting the parties to conduct depositions of expert witnesses, if necessary, beyond the current discovery deadline. Signed by District Judge George Caram Steeh. (MBea) (Entered: 02/19/2009)
02/19/2009	<u>125</u>	ORDER to remove image re: <u>124</u> Stipulation and Order. Signed by District Judge George Caram Steeh. (DHam) (Entered: 02/19/2009)
03/09/2009		Minute Entry –Settlement Conference held on 3/9/2009 before Magistrate Judge Steven D Pepe. Disposition: Case Did Not Settle (VSim) (Entered: 03/10/2009)
03/12/2009	<u>127</u>	NOTICE of hearing on <u>84</u> MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> . <b>Motion Hearing set for 3/30/2009 10:00 AM before District Judge George Caram Steeh</b> at U of M Ann Arbor Law School. (MBea) (Entered: 03/12/2009)
03/20/2009	<u>128</u>	Ex Parte MOTION for Leave to File by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Exhibit A – Defendants' Supplemental Brief, # <u>2</u> Index of Exhibits, # <u>3</u> Exhibit 1 – Colozzi v. St. Joseph's Health, # <u>4</u> Exhibit 2 – Notice to Opt In from Doucure v. Matlyn, # <u>5</u> Exhibit 3 – Maudlin v. Johnny Kynard Logging, # <u>6</u> Exhibit 4 – Simpkins v. Pulte Homes, # <u>7</u> Exhibit 5 – Plaintiffs proposed notice, # <u>8</u> Exhibit 6 – Guerra v. Big Johnson, # <u>9</u> Exhibit 7 – Stillman v. Staples, # <u>10</u> Exhibit 8 – Gilbert v. Citigroup) (Warren, Richard) (Entered: 03/20/2009)
03/20/2009	<u>129</u>	OBJECTION to <u>128</u> Ex Parte MOTION for Leave to File <i>Supplement to Their Response to Plaintiffs' Motion for Conditional Certification, and Derfendants' Objections to Plaintiffs' Proposed Opt-In Notice and Consent Form</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 03/20/2009)
03/23/2009		TEXT-ONLY ORDER GRANTING <u>128</u> Ex Parte MOTION for Leave to File filed by Sears, Roebuck and Company, Sears Home Improvement Products,

		Incorporated, Sears Holdings Corporation. Entered by District Judge George Caram Steeh. (MBea) (Entered: 03/23/2009)
03/30/2009	<u>130</u>	ORDER granting in part and denying in part <u>80</u> Third Motion to Compel – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 03/30/2009)
03/30/2009		Minute Entry –Motion Hearing held on 3/30/2009 re <u>84</u> MOTION to Certify Class <i>Conditionally Certify a Collective Action Under the ADEA</i> filed by Ronnie Willms, Walter Magness, Garold Allen, Suzanne J. Novak, Donald Murphy, Sylvestor J. Derosa, David McKillop before District Judge George Caram Steeh. Disposition: Granted(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 03/30/2009)
04/15/2009	<u>131</u>	ORDER granting <u>84</u> Plaintiffs' Motion to Conditionally Certify a Collective Action. Signed by District Judge George Caram Steeh. (MBea) (Entered: 04/15/2009)
04/17/2009	<u>132</u>	MOTION to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) Modified on 4/17/2009 (PMil).[CERTIFICATE OF SERVICE IS NOT SERVICE OF THIS DOCUMENT] (Entered: 04/17/2009)
04/17/2009	<u>133</u>	CERTIFICATE OF SERVICE by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop re <u>132</u> MOTION to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely Amended Certificate of Service (Brault, Darcie) (Entered: 04/17/2009)
04/30/2009	<u>134</u>	RESPONSE to <u>132</u> MOTION to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – February 17, 2009 Stipulated Order, # <u>3</u> Exhibit 2 – June 26, 2008 Scheduling Order) (Warren, Richard) (Entered: 04/30/2009)
05/05/2009	<u>135</u>	MEMORANDUM re <u>131</u> Order on Motion to Certify Class <i>ARGUMENT IN SUPPORT OF PLAINTIFFS' PROPOSED NOTICE AND CONSENT TO JOIN FORM</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Plaintiffs proposed Notice of Pendency and Consent to Join, # <u>3</u> Exhibit B – Plaintiffs proposed Notice of Pendency and Consent to Join with comments) (Brault, Darcie) (Entered: 05/05/2009)
05/05/2009	<u>136</u>	REPLY to Response re <u>132</u> MOTION to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 05/05/2009)
05/05/2009	<u>137</u>	MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Defendants' Proposed Opt-In Notice and Consent to Join Forms, # <u>3</u> Exhibit 2 – Announcement, # <u>4</u> Exhibit 3 – Stillman v. Staples, Inc., # <u>5</u> Exhibit 4 – Notice Approved in Cox v. Appliance Direct, Inc., # <u>6</u> Exhibit 5 – Guerra v. Big Johnson Concrete Pumping) (Warren, Richard) (Entered: 05/05/2009)
05/18/2009		CANCELLED FPTO, FPTC and JT dates – to be rescheduled after decision on pending motion. Entered by District Judge George Caram Steeh. (MBea) (Entered: 05/18/2009)
05/19/2009	<u>138</u>	ORDER re <u>132</u> MOTION to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely – No hearing will be scheduled – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 05/19/2009)
05/19/2009	<u>139</u>	MEMORANDUM re <u>135</u> Memorandum, in Response to Plaintiff's Notice and Consent to Join Form by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Coffey, # <u>3</u> Exhibit 2 – 3/30/09 Hearing Transcript, # <u>4</u>

		Exhibit 3 – Federal Judiciary Center's Model Notice, # <u>5</u> Exhibit 4 – Stillman) (Warren, Richard) (Entered: 05/19/2009)
05/20/2009	<u>140</u>	RESPONSE to <u>137</u> MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit B – March 30, 2009 motion hearing transcript) (Brault, Darcie) (Entered: 05/20/2009)
05/20/2009	<u>141</u>	<b>SEALED</b> EXHIBIT A – <i>Email correspondence (Filed Under Seal)</i> re <u>140</u> Response to Motion,, by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 05/20/2009)
05/22/2009	<u>142</u>	NOTICE by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop of withdrawal of <u>132</u> MOTION <i>to Prohibit Defendants from Filing a Motion for Summary Judgment as Untimely.</i> (Brault, Darcie) (Entered: 05/22/2009)
06/01/2009	<u>143</u>	REPLY to Response re <u>137</u> MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class MOTION Approval of Defendants' Notice and Consent Form re <u>131</u> Order on Motion to Certify Class filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Plaintiffs' Proposed Notice in Caudill, # <u>3</u> Exhibit 2 – Pagliolo v. Guidant Corp.) (Warren, Richard) (Entered: 06/01/2009)
06/01/2009	<u>144</u>	REPLY to <u>139</u> Memorandum, <i>to Defendants' Brief in Response to Plaintiffs' Notice and Consent to Join Form</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Brault, Darcie) (Entered: 06/01/2009)
06/02/2009	<u>145</u>	REPLY to <u>139</u> Memorandum, <i>Plaintiffs' AMENDED Reply to Defendants' Brief In Response to Plaintiffs' Proposed Notice and Consent to Join Form</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Exhibit A – Merritt v. Wellpoint, Inc.) (Brault, Darcie) Modified on 6/2/2009 (DWor). [WRONG DOCKET EVENT SELECTED] (Entered: 06/02/2009)
06/02/2009	<u>146</u>	Ex Parte MOTION for Leave to File <i>Sur–Reply to Plaintiffs' Amended Reply</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Exhibit 1 – Sur–Reply) (Warren, Richard) (Entered: 06/02/2009)
06/08/2009		TEXT–ONLY ORDER GRANTING <u>146</u> Ex Parte MOTION for Leave to File <i>Sur–Reply to Plaintiffs' Amended Reply</i> filed by Sears, et al. Entered by District Judge George Caram Steeh. (MBea) (Entered: 06/08/2009)
06/09/2009	<u>147</u>	NOTICE of Appearance by Brian M. Schwartz on behalf of Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Schwartz, Brian) (Entered: 06/09/2009)
06/29/2009	<u>148</u>	ORDER regarding Notice and Consent to Join Forms (re <u>137</u> Motion for Approval of Defendants' notice and consent form re: #131 Order on Motion to Certify Class). Signed by District Judge George Caram Steeh. (MBea) (Entered: 06/29/2009)
07/13/2009	<u>149</u>	NOTICE TO APPEAR: <b>Scheduling Conference set for 7/29/2009 10:30 AM before District Judge George Caram Steeh</b> (MBea) (Entered: 07/13/2009)
07/28/2009	<u>150</u>	MOTION to Dismiss by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – EEOC Charge of Discrimination as to Novak, # <u>3</u> Exhibit 2 – EEOC Charge of Discrimination as to Till, # <u>4</u> Exhibit 3 – EEOC Charge of Discrimination as to Willms, # <u>5</u> Exhibit 4 – EEOC Charge of Discrimination as to

		Allen, # <u>6</u> Exhibit 5 – EEOC Charge of Discrimination as to Magness, # <u>7</u> Exhibit 6 – EEOC Charge of Discrimination as to McKillop, # <u>8</u> Exhibit 7 – EEOC Charge of Discrimination as to Murphy, # <u>9</u> Exhibit 8 – EEOC's report, # <u>10</u> Exhibit 9 – Sears' Position Statement, # <u>11</u> Exhibit 10 – EEOC Right to Sue Letters, # <u>12</u> Exhibit 11 – EEOC Letter to Magness, # <u>13</u> Exhibit 12 – EEOC v. Bailey (unpublished case), # <u>14</u> Exhibit 13 – Maxwell v. Cuyahoga (unpublished case), # <u>15</u> Exhibit 14 – Remien v. EMC Corp. (unpublished case), # <u>16</u> Exhibit 15 – EEOC Dismissal and Notice of Rights, # <u>17</u> Exhibit 16 – Morris v. Chattanooga (unpublished case)) (Warren, Richard) (Entered: 07/28/2009)
07/29/2009		Minute Entry –Scheduling Conference begun on 7/29/2009 and <b>continued to 11/2/2009 10:00 AM</b> before District Judge George Caram Steeh. (MBea) (Entered: 07/29/2009)
07/29/2009		Set/Reset Deadlines as to <u>150</u> MOTION to Dismiss. <b>Responses due by 11/16/2009</b> (MBea) (Entered: 07/29/2009)
08/13/2009	<u>151</u>	CONSENT to Join by Michael L. Schackner. (CGre) (Entered: 08/14/2009)
08/14/2009	<u>152</u>	CONSENT to Join by Jeffrey E. Blow. (CGre) (Entered: 08/14/2009)
08/24/2009	<u>153</u>	NOTICE of withdrawal re <u>151</u> Consent to Join by Michael L. Schackner. (CGre) (Entered: 08/24/2009)
08/27/2009	<u>154</u>	NOTICE (Letter) of withdrawal re <u>152</u> Consent to Join by Jeffrey E. Blow. (CGre) (Entered: 08/28/2009)
09/29/2009	<u>155</u>	STIPULATED PROTECTIVE ORDER. Signed by District Judge George Caram Steeh. (MBea) (Entered: 09/29/2009)
10/19/2009	<u>156</u>	CONSENT to JOIN by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop (Attachments: # <u>1</u> Exhibit A – Consent to Join forms) (Brault, Darcie) (Entered: 10/19/2009)
11/02/2009		Minute Entry – Scheduling Conference held on 11/2/2009 before District Judge George Caram Steeh. (MBea) (Entered: 11/02/2009)
11/02/2009	<u>157</u>	SCHEDULING ORDER: <b>Dispositive Motion Cut-off set for 4/15/2010 Final Pretrial Conference set for 7/26/2010 10:00 AM before District Judge George Caram Steeh Jury Trial set for 8/17/2010 09:00 AM before District Judge George Caram Steeh</b> Signed by District Judge George Caram Steeh. (Refer to image for additional dates) (MBea) (Entered: 11/02/2009)
11/03/2009		Minute Entry – Status Conference held on 11/3/2009 before District Judge George Caram Steeh. (MBea) (Entered: 11/03/2009)
11/16/2009	<u>158</u>	RESPONSE to <u>150</u> MOTION to Dismiss filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – June 30, 2006 and July 19, 2006 letters to EEOC, # <u>3</u> Exhibit B – Unpublished cases) (Brault, Darcie) (Entered: 11/16/2009)
11/25/2009	<u>159</u>	REPLY to Response re <u>150</u> MOTION to Dismiss filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Excerpts of Novak Deposition Transcript, # <u>3</u> Exhibit 2 – Excerpts of Allen Deposition Transcript, # <u>4</u> Exhibit 3 – Excerpts of McKillop Deposition Transcript, # <u>5</u> Exhibit 4 – Jagla v. Harris Bank, # <u>6</u> Exhibit 5 – Gray v. Oracle Corp) (Warren, Richard) (Entered: 11/25/2009)
12/03/2009	<u>160</u>	NOTICE of hearing on <u>150</u> MOTION to Dismiss. <b>Motion Hearing set for 1/20/2010 11:00 AM before District Judge George Caram Steeh.</b> (MBea) (Entered: 12/03/2009)
01/20/2010		Minute Entry – Motion Hearing held on 1/20/2010 re <u>150</u> MOTION to Dismiss filed by Sears, Roebuck and Company, before District Judge George Caram Steeh. Disposition: taken under advisement(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 01/20/2010)

01/20/2010	<u>161</u>	ORDER denying <u>150</u> Defendants' Motion to Dismiss. Signed by District Judge George Caram Steeh. (MBea) (Entered: 01/20/2010)
02/02/2010	<u>162</u>	MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint and Jury Demand, # <u>3</u> Exhibit B – Deposition notices, # <u>4</u> Document Continuation) (Brault, Darcie) (Entered: 02/02/2010)
02/04/2010	<u>163</u>	MOTION to Compel <i>Discovery from Nine of the Opt-In Plaintiffs and Extend Deadlines</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Opt-In Notice, # <u>3</u> Exhibit 2 – Scheduling Order, # <u>4</u> Exhibit 3 – November 6, 2009 Letter, # <u>5</u> Exhibit 4 – Written Discovery, # <u>6</u> Exhibit 5 – December 9, 2009 Letter, # <u>7</u> Exhibit 6 – January 11, 2010 email, # <u>8</u> Exhibit 7 – January 11, 2010 Letter, # <u>9</u> Exhibit 8 – Ahmed v. L(Warren, Richard) (Entered: 02/04/2010)
02/05/2010	<u>164</u>	*STRICKEN* ORDER REFERRING MOTION to Magistrate Judge Mona K Majzoub: <u>163</u> MOTION to Compel <i>Discovery from Nine of the Opt-In Plaintiffs and Extend Deadlines</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. Signed by District Judge George Caram Steeh (Goltz, D) Modified on 3/1/2010 (MBea). (Entered: 02/05/2010)
02/11/2010	<u>165</u>	ORDER REFERRING MOTION to Magistrate Judge Mona K Majzoub: <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> filed by Ronnie Willms, Walter Magness, Garold Allen, Suzanne J. Novak, Donald Murphy, Sylvester J. Derosa, David McKillop. Signed by District Judge George Caram Steeh. (Goltz, D) (Entered: 02/11/2010)
02/12/2010	<u>166</u>	NOTICE of hearing on <u>163</u> MOTION to Compel <i>Discovery from Nine of the Opt-In Plaintiffs and Extend Deadlines</i> , <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> . <b>JOINT Statement of Resolved/Unresolved Issues due by 3/8/2010 and Motion Hearing set for 3/15/2010 10:00 AM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 02/12/2010)
02/12/2010		Set Deadlines as to <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> , <u>163</u> MOTION to Compel <i>Discovery from Nine of the Opt-In Plaintiffs and Extend Deadlines</i> . <b>JOINT Statement of Resolved/Unresolved Issues due by 3/8/2010 and Motion Hearing set for 3/15/2010 10:00 AM before Magistrate Judge Mona K Majzoub</b> (LBar) (Entered: 02/12/2010)
02/19/2010	<u>167</u>	RESPONSE to <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Opt-In Notice, # <u>3</u> Exhibit 2 – Scheduling Order, # <u>4</u> Exhibit 3 – November 6, 2009 Letter, # <u>5</u> Exhibit 4 – Request Served on Bruce, # <u>6</u> Exhibit 5 – January 11, 2010 Letter, # <u>7</u> Exhibit 6 – Kaas v. Pratt, # <u>8</u> Exhibit 7 – Rosen v. Reckitt, # <u>9</u> Exhibit 8 – Ingersoll v. Royal, # <u>10</u> Exhibit 9 – Daniel v. Quail, # <u>11</u> Exhibit 10 – Kyte's Response to Interrogs, # <u>12</u> Exhibit 11 – Mako's Response to Interrogs, # <u>13</u> Exhibit 12 – Miller's Response to Interrogs, # <u>14</u> Exhibit 13 – Rooney's Response to Interrogs, # <u>15</u> Exhibit Williams v. Sprint) (Warren, Richard) (Entered: 02/19/2010)
02/25/2010	<u>168</u>	REPLY to Response re <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs</i> filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvester J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Second Amended Complaint and Jury Demand, # <u>3</u> Exhibit B – Excerpts Novak Deposition) (Brault, Darcie) (Entered: 02/25/2010)
03/01/2010		TEXT-ONLY ORDER STRIKING <u>164</u> Order Referring Motion <u>163</u> to Magistrate Judge for REntered in error, previously referred for hearing and determination of

		all discovery motions, see <u>28</u> . Entered by District Judge George Caram Steeh. (MBea) (Entered: 03/01/2010)
03/02/2010	<u>169</u>	[STRICKEN: EXHIBITS 8 and 9, IMAGES REMOVED] MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Chart, # <u>3</u> Exhibit 2 – Scheduling Order, # <u>4</u> Exhibit 3 – Nov. 6, 2009 ltr, # <u>5</u> Exhibit 4 – Bruce Interrog and Requests, # <u>6</u> Exhibit 5 – Dec. 9, 2009 letter, # <u>7</u> Exhibit 6 – Jan 11, 2010 email, # <u>8</u> Exhibit 7 – Jan 11, 2010 ltr, # <u>9</u> Exhibit 8 – Bruce Disc Responses, # <u>10</u> Document Continuation, # <u>11</u> Document Continuation, # <u>12</u> Exhibit 9 – Costello Disc Response) (Warren, Richard) Modified on 3/25/2010 (LHac). (Entered: 03/02/2010)
03/02/2010	<u>170</u>	[STRICKEN] EXHIBIT <i>10 thru 16</i> re <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Exhibit 11 – Keith Disc Resp, # <u>2</u> Exhibit 12 – Kyte Disc Resp, # <u>3</u> Exhibit 13 – Mako Disc Resp, # <u>4</u> Document Continuation, # <u>5</u> Document Continuation, # <u>6</u> Exhibit 14 – W Miller Disc Resp, # <u>7</u> Exhibit 15 – I Moore Disc Resp, # <u>8</u> Exhibit 16 – W. Moore Disc Resp) (Warren, Richard) Modified on 3/25/2010 (LHac). (LHac). (Entered: 03/02/2010)
03/02/2010	<u>171</u>	[STRICKEN] EXHIBIT <i>17 thru 26</i> re <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Exhibit 18 – Newsome Disc Resp, # <u>2</u> Exhibit 19 – Nikias Disc Resp, # <u>3</u> Exhibit 20 – Ondahl Disc Resp, # <u>4</u> Exhibit 21 – Palmer Disc Resp, # <u>5</u> Exhibit 22 – Poranski Disc Resp, # <u>6</u> Exhibit 23 – Proctor Disc Resp, # <u>7</u> Exhibit 24 – Rooney Disc Resp, # <u>8</u> Exhibit 25 – Sims Disc Resp, # <u>9</u> Exhibit 26 – Wirtz Disc Resp) (Warren, Richard) Modified on 3/25/2010 (LHac). (LHac). (Entered: 03/02/2010)
03/02/2010	<u>172</u>	[STRICKEN EXHIBIT 27, IMAGE REMOVED] EXHIBIT <i>27 thru 33</i> re <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Exhibit 27 – Yaras Disc Resp, # <u>2</u> Exhibit 28 – Ahmed (unpublished Case), # <u>3</u> Exhibit 29 – Opt-in Notice, # <u>4</u> Exhibit 30 – Bruce TPP Docs, # <u>5</u> Exhibit 31 – Kyte TPP Docs, # <u>6</u> Exhibit 32 – Novak Dep Ex 3, # <u>7</u> Exhibit 33 – Jagielo (unpublished case)) (Warren, Richard) Modified on 3/25/2010 (LHac). (Entered: 03/02/2010)
03/02/2010	<u>173</u>	Emergency MOTION to Strike <u>171</u> Exhibit,, <u>170</u> Exhibit,, <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates ex parte</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 8, # <u>3</u> Exhibit 9, # <u>4</u> Exhibit 10, # <u>5</u> Exhibit 11, # <u>6</u> Exhibit 12, # <u>7</u> Exhibit 13, # <u>8</u> Exhibit 14, # <u>9</u> Exhibit 15, # <u>10</u> Exhibit 16, # <u>11</u> Exhibit 17, # <u>12</u> Exhibit 18) (Warren, Richard) (Entered: 03/02/2010)
03/02/2010	<u>174</u>	EXHIBIT re <u>172</u> Exhibit,, <u>171</u> Exhibit,, <u>173</u> Emergency MOTION to Strike <u>171</u> Exhibit,, <u>170</u> Exhibit,, <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates ex parte</i> Emergency MOTION to Strike <u>171</u> Exhibit,, <u>170</u> Exhibit,, <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates ex parte</i> Emergency MOTION to Strike <u>171</u> Exhibit,, <u>170</u> Exhibit,, <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates ex parte</i> by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Attachments: # <u>1</u> Exhibit 20, # <u>2</u> Exhibit 21, # <u>3</u> Exhibit 22, # <u>4</u> Exhibit 23, # <u>5</u> Exhibit 24, # <u>6</u> Exhibit 25, # <u>7</u> Exhibit 26, # <u>8</u> Exhibit 27) (Warren, Richard) (Entered: 03/02/2010)
03/03/2010	<u>175</u>	AMENDED SCHEDULING ORDER with STIPULATION: <b>Dispositive Motion Cut-off set for 6/15/2010</b> Signed by Magistrate Judge Mona K Majzoub. (Refer to image for additional dates) (LBar) (Entered: 03/03/2010)

03/04/2010	<u>178</u>	NOTICE by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation of withdrawal of <u>163</u> MOTION to Compel <i>Discovery from Nine of the Opt-In Plaintiffs and Extend Deadlines</i> . (DEld) (Entered: 03/10/2010)
03/04/2010	<u>179</u>	NOTICE OF FAILURE TO COMPLY with Local Rule 5.1.1 issued to attorney Richard W. Warren re <u>178</u> Notice to Withdraw Motion (DEld) (Entered: 03/10/2010)
03/08/2010	<u>176</u>	STATEMENT of Resolved and Unresolved Issues by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop (Brault, Darcie) (Entered: 03/08/2010)
03/10/2010	<u>177</u>	NOTICE of hearing on <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> . <b>Responses due by 3/16/2010, JOINT Statement of Resolved/Unresolved Issues due by noon 3/19/2010 and Motion Hearing set for 3/22/2010 12:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 03/10/2010)
03/12/2010	<u>180</u>	AMENDED NOTICE of hearing on <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs and 169</i> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> . <b>JOINT Statement of Resolved/Unresolved Issues due by 3/19/2010 and Motion Hearing set for 3/22/2010 12:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 03/12/2010)
03/15/2010	<u>181</u>	RESPONSE to <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> filed by Suzanne J. Novak, Ronnie Willms, Donald Murphy, Garold Allen, Sylvestor J. Derosa, Walter Magness, David McKillop. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Order Regarding Plaintiffs and Defendants Cross-Objections to the Magistrate Judges June 10, 2008 Opinion and Order Resolving Pending Discovery Motions Docket Numbers 41, 42, 44, 51, # <u>3</u> Exhibit B – First Amended Complaint and Jury Demand, # <u>4</u> Exhibit C – Defendants Answer to Plaintiffs First Amended Complaint and Jury Demand (Class Action) and Affirmative Defenses, # <u>5</u> Exhibit D – Supplemental Responses to Interrogatories) (Brault, Darcie) (Entered: 03/15/2010)
03/17/2010	<u>182</u>	REPLY to Response re <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation. (Attachments: # <u>1</u> Exhibit 1 – 2nd Amended Complaint) (Warren, Richard) (Entered: 03/17/2010)
03/19/2010	<u>183</u>	STATEMENT of Resolved and Unresolved Issues by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation (Warren, Richard) (Entered: 03/19/2010)
03/22/2010		Minute Entry – Motion Hearing held on 3/22/2010 re <u>162</u> MOTION for Protective Order <i>Re: Deposition Notices for Twenty Opt-In Plaintiffs and 169</i> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> – before Magistrate Judge Mona K Majzoub. <i>Disposition: Taken Under Advisement (Tape #MKM 03/22/10) (LBar) (Entered: 03/23/2010)</i>
03/23/2010	<u>184</u>	STIPULATION AND ORDER re <u>169</u> MOTION to Compel <i>Complete Discovery Responses from the Opt-In Plaintiffs and to Extend Dates</i> – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 03/23/2010)
03/23/2010	<u>185</u>	ORDER granting <u>173</u> Motion to Strike– Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 03/23/2010)
04/05/2010	<u>186</u>	ORDER granting in part and denying in part <u>162</u> Motion for Protective Order Regarding Deposition Notices for Twenty Opt-In Plaintiffs – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 04/05/2010)
04/19/2010	<u>187</u>	MOTION for Reconsideration re <u>186</u> Order on Motion for Protective Order by Sears Holdings Corporation, Sears Home Improvement Products, Incorporated, Sears, Roebuck and Company. (Warren, Richard) (Entered: 04/19/2010)

04/19/2010	<u>188</u>	EXHIBIT re <u>187</u> MOTION for Reconsideration re <u>186</u> Order on Motion for Protective Order by Sears Holdings Corporation, Sears Home Improvement Products, Incorporated, Sears, Roebuck and Company (Attachments: # <u>1</u> Exhibit 1 – 4/15/10 Order, # <u>2</u> Exhibit 2 – Notice to Opt–Ins, # <u>3</u> Exhibit 3 – Williams v Sprint, # <u>4</u> Exhibit 4 – Slywka v. CMI, # <u>5</u> Exhibit 5 – Krygoski Const v City of Menominee) (Warren, Richard) (Entered: 04/19/2010)
04/22/2010	<u>189</u>	ORDER re <u>187</u> MOTION for Reconsideration re <u>186</u> Order on Motion for Protective Order. Set Motion Deadlines: ( <b>Responses due by 4/30/2010</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 04/22/2010)
04/26/2010	<u>190</u>	RESPONSE to <u>187</u> MOTION for Reconsideration re <u>186</u> Order on Motion for Protective Order filed by All Plaintiffs. (Brault, Darcie) (Entered: 04/26/2010)
04/30/2010	<u>191</u>	MOTION to Compel <i>Attendance at Depositions</i> by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Opt–In Notice, # <u>3</u> Exhibit 2 – Scheduling Order, # <u>4</u> Exhibit 3 – January 11, 2010 Letter, # <u>5</u> Exhibit 4 – March 3, 2010 Stipulated Order, # <u>6</u> Exhibit 5 – December 9, 2009 letter, # <u>7</u> Exhibit 6 – April 5, 2010 Order, # <u>8</u> Exhibit 7 – Deposition Notices, # <u>9</u> Exhibit 8 – April 16, 2010 letter, # <u>10</u> Exhibit 9 – Plaintiffs' Objections, # <u>11</u> Exhibit 10 – April 20, 2010 letter, # <u>12</u> Exhibit 11 – April 26, 2010 letter) (Warren, Richard) (Entered: 04/30/2010)
05/07/2010	<u>192</u>	RESPONSE to <u>191</u> MOTION to Compel <i>Attendance at Depositions</i> filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – April 19, 2010 correspondence and Objection to Re–Notices of Taking Depositions of the Opt–In Plaintiffs, # <u>3</u> Exhibit B – April 26, 2010 correspondence to defense counsel) (Brault, Darcie) (Entered: 05/07/2010)
05/10/2010	<u>193</u>	ORDER granting <u>187</u> Motion for Reconsideration re <u>186</u> Order on Motion for Protective Order – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 05/10/2010)
05/11/2010	<u>194</u>	ORDER re <u>191</u> MOTION to Compel <i>Attendance at Depositions</i> . Set Motion Deadlines: ( <b>JOINT Statement of Resolved/Unresolved Issues due by 6/1/2010</b> ) – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 05/11/2010)
05/11/2010		Copy of document <u>194</u> was served upon Counsel of Record on this date 5/11/2010. (LBar) (Entered: 05/11/2010)
05/14/2010	<u>195</u>	REPLY to Response re <u>191</u> MOTION to Compel <i>Attendance at Depositions</i> filed by All Defendants. (Warren, Richard) (Entered: 05/14/2010)
05/14/2010	<u>196</u>	EXHIBIT re <u>195</u> Reply to Response to Motion by All Defendants (Attachments: # <u>1</u> Exhibit 1 – April 29, 2010 Email, # <u>2</u> Exhibit 2 – May 7, 2010 Email, # <u>3</u> Exhibit 3 – May 10, 2010 Email) (Warren, Richard) (Entered: 05/14/2010)
05/17/2010	<u>197</u>	NOTICE of hearing on <u>191</u> MOTION to Compel <i>Attendance at Depositions</i> . <b>JOINT Statement of Resolved/Unresolved Issues due by 6/3/2010 and Motion Hearing set for 6/9/2010 01:30 PM before Magistrate Judge Mona K Majzoub.</b> (LBar) (Entered: 05/17/2010)
05/17/2010		Set Deadlines as to <u>191</u> MOTION to Compel <i>Attendance at Depositions</i> . <b>JOINT Statement of Resolved/Unresolved Issues due by 6/3/2010 and Motion Hearing set for 6/9/2010 01:30 PM before Magistrate Judge Mona K Majzoub</b> (LBar) (Entered: 05/17/2010)
06/03/2010	<u>198</u>	STATEMENT of Resolved and Unresolved Issues by All Parties (Warren, Richard) (Entered: 06/03/2010)
06/04/2010	<u>199</u>	ORDER granting in part <u>191</u> Motion to Compel Attendance at Depositions – – Signed by Magistrate Judge Mona K Majzoub. (LBar) (Entered: 06/04/2010)
06/11/2010	<u>200</u>	MOTION TO EXTEND Scheduling Order Dates by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – May 7, 2010 Email, # <u>3</u> Exhibit 2 – May 10, 2010 Email, # <u>4</u> Exhibit 3 – May 17, 2010 Email, # <u>5</u> Exhibit 4 – Scheduling Order, # <u>6</u> Exhibit 5 – January 11, 2010 Letter, # <u>7</u> Exhibit 6 – March 3, 2010 Stipulated Order, # <u>8</u> Exhibit 7 – December 9, 2009 Letter, # <u>9</u> Exhibit 8 – April 5, 2010 Order, # <u>10</u> Exhibit 9 – Deposition Notices, # <u>11</u> Exhibit 10 – April 16, 2010



		Letter, # <u>12</u> Exhibit 11 – Plaintiffs' Objections, # <u>13</u> Exhibit 12 – April 20, 2010 Letter) (Warren, Richard) (Entered: 06/11/2010)
06/14/2010	<u>201</u>	NOTICE TO APPEAR: <b>Status Conference set for 6/28/2010 11:00 AM before District Judge George Caram Steeh</b> (MBea) (Entered: 06/14/2010)
06/14/2010		Re-Set Deadlines/Hearings: <b>Status Conference re-set for 7/1/2010 09:30 AM before District Judge George Caram Steeh</b> (MBea) (Entered: 06/14/2010)
06/15/2010	<u>202</u>	RESPONSE to <u>200</u> MOTION TO EXTEND Scheduling Order Dates filed by All Plaintiffs. (Brault, Darcie) (Entered: 06/15/2010)
06/16/2010		TEXT-ONLY ORDER GRANTING <u>200</u> MOTION TO EXTEND Scheduling Order Dates filed by Sears, et al. <b>Depositions to be completed by 7/18/10, Decertification Motion due 7/30/10, Dispositive Motion Cut-off set for 8/30/2010, Joint Final Pretrial Order due 11/30/10, Final Pretrial Conference set for 12/6/2010 09:30 AM, Jury Trial set for 12/13/2010 09:00 AM before District Judge George Caram Steeh</b> Entered by District Judge George Caram Steeh. (MBea) (Entered: 06/16/2010)
07/01/2010		Minute Entry – Status Conference held on 7/1/2010 before District Judge George Caram Steeh. (MBea) (Entered: 07/01/2010)
07/13/2010		Set Deadlines/Hearings: <b>Telephone Conference set for 7/13/2010 02:30 PM before District Judge George Caram Steeh</b> (MBea) (Entered: 07/13/2010)
07/13/2010		Minute Entry – Telephone Conference held on 7/13/2010 before District Judge George Caram Steeh. Judge Lawson to conduct a facilitation. (MBea) (Entered: 07/13/2010)
07/23/2010	<u>203</u>	ORDER REGARDING FACILITATIVE MEDIATION. Signed by District Judge David M. Lawson. (Feijoo, TS) (Entered: 07/23/2010)
07/30/2010	<u>204</u>	MOTION Exclude Opt-In Plaintiff Charles Nikias by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Order and Notice/Consent Form, # <u>3</u> Exhibit 2 – Good Deposition Excerpts, # <u>4</u> Exhibit 3 – McShane Deposition Excerpts, # <u>5</u> Exhibit 4 – Steenbeke Deposition Excerpts, # <u>6</u> Exhibit 5 – Nikias Deposition Excerpts, # <u>7</u> Exhibit 6 – Henry v. Quicken Loans (unpublished case), # <u>8</u> Exhibit 7 – Pruitt v. City of Chicago (unpublished case), # <u>9</u> Exhibit 8 – Taylor v. CSX Transp. (unpublished case), # <u>10</u> Exhibit 9 – Job Summary) (Alaimo, Michael) (Entered: 07/30/2010)
08/06/2010	<u>205</u>	STIPULATED ORDER extending time to respond to <u>204</u> MOTION Exclude Opt-In Plaintiff Charles Nikias : <b>Responses due by 9/15/2010</b> Signed by District Judge George Caram Steeh. (MBea) (Entered: 08/06/2010)
08/30/2010	<u>206</u>	NOTICE of hearing on <u>204</u> MOTION Exclude Opt-In Plaintiff Charles Nikias. <b>Responses due by 9/15/2010 Replies due by 10/4/2010 Motion Hearing set for 10/25/2010 02:30 PM before District Judge George Caram Steeh.</b> (MBea) (Entered: 08/30/2010)
08/30/2010	<u>207</u>	MOTION for Summary Judgment by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Excerpts of Mark Good Dep, # <u>3</u> Exhibit 2 – Sears/Allen 80583, # <u>4</u> Exhibit 3 – Excerpts fro Teige McShane's Dep, # <u>5</u> Exhibit 4 – Sears/Allen-00070-75, # <u>6</u> Exhibit 5 – Excerpts from David McKillop's Dep, # <u>7</u> Exhibit 6 – Sears/Allen 00001-2, # <u>8</u> Exhibit 7 – Excerpts from Sylvester DeRosa's Dep, # <u>9</u> Exhibit 8 – Excerpts from Suzanne Novak's Dep, # <u>10</u> Exhibit 9 – Excerpts from Ronnie Willms' Dep, # <u>11</u> Exhibit 10 – Excerpts from James Brown's Dep, # <u>12</u> Exhibit 11 – Excerpts from Garold Allen's Dep, # <u>13</u> Exhibit 12 – Sears/Allen-00010-16, # <u>14</u> Exhibit 13 – Excerpts from Joe Steenbeke's Dep, # <u>15</u> Exhibit 14 – Sears/Allen 30490, # <u>16</u> Exhibit 15 – Sears/Allen 46478-46480, # <u>17</u> Exhibit 16 – Excerpts from John Williams' Dep, # <u>18</u> Exhibit 17 – Chart Summarizing Named Plaintiffs' and Opt-Ins, # <u>19</u> Document Continuation, # <u>20</u> Exhibit 18 – Excerpts from William Kyte's Dep, # <u>21</u> Exhibit 19 – Excerpts from Charles Nikias' Dep, # <u>22</u> Exhibit 20 – Excerpts from Robert Wirtz's Dep, # <u>23</u> Exhibit 21 Excerpts from John Newsome's Dep, # <u>24</u> Exhibit 22 – Excerpts from Christopher Bruce's Dep, # <u>25</u> Exhibit 23 – Excerpts from Michael Rooney's Dep, # <u>26</u> Exhibit 24 – Excerpts from John Mako's Dep, # <u>27</u> Exhibit 25 – Excerpts

		from Gil Yaras' Dep, # <u>28</u> Exhibit Excerpts from Robert Poranski's Dep, # <u>29</u> Exhibit 27 – Excerpts from Walter Miller's Dep, # <u>30</u> Exhibit 28 – Freeman v. Potter (unpublished), # <u>31</u> Exhibit 29 – Excerpts from Joseph Palmer's Dep, # <u>32</u> Exhibit 30 – Chart Summarizing Plaintiffs' Admissions, # <u>33</u> Exhibit 31 – Cleverly v. Digital (unpublished), # <u>34</u> Exhibit 32 – Adams v. Lucent (Unpublished), # <u>35</u> Exhibit 33 – Coffey v. Chattanooga (Unpublished), # <u>36</u> Exhibit 34 – Keith's Ans to Interrogs (excerpts), # <u>37</u> Exhibit 35 – Wagner v. Matsushita (Unpublished), # <u>38</u> Exhibit 36 – Schuch v. Savair (Unpublished), # <u>39</u> Exhibit 37 – Kestner v. Stanton (Unpublished), # <u>40</u> Exhibit 38 – Wirtz's Answers to Interros (excerpts), # <u>41</u> Exhibit 39 – Excerpts from David Proctor's Dep, # <u>42</u> Exhibit 40 – Excerpts from Nitin Paranjpe's Dep, # <u>43</u> Exhibit 41 – Aldridge v. City of Memphis (Unpublished), # <u>44</u> Exhibit 42– Kulkarni v. CUNY (Unpublished), # <u>45</u> Exhibit 43 – Reminder v. Roadway (Unpublished), # <u>46</u> Exhibit 44 – Mustelier v. Equifax (Unpublished), # <u>47</u> Exhibit 45 – Nitin Paranjpe's Report, # <u>48</u> Exhibit 46 – Joan Haworth's Expert Report, # <u>49</u> Exhibit 47 – Excerpts from Walter Magness' Dep, # <u>50</u> Exhibit 48 – Ronnie Willms' Bankruptcy Petition, # <u>51</u> Exhibit 49 – Willms' Bankruptcy Case Summary, # <u>52</u> Exhibit Toma v. General Revenue (Unpublished)) (Alaimo, Michael) (Entered: 08/30/2010)
09/01/2010	<u>208</u>	NOTICE of hearing on <u>207</u> MOTION for Summary Judgment. <b>Responses due by 9/23/2010 Replies due by 10/12/2010 Motion Hearing set for 10/25/2010 02:30 PM before District Judge George Caram Steeh.</b> (MBea) (Entered: 09/01/2010)
09/13/2010	<u>209</u>	RESPONSE to <u>204</u> MOTION Exclude Opt–In Plaintiff Charles Nikias filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Notice of Pendency and Consent to Join, # <u>3</u> Exhibit B – Nikias Consent to Join, # <u>4</u> Exhibit C – Charles P. Nikias Answers to Defendants First Set of Interrogatories, # <u>1</u> , # <u>5</u> Exhibit CN – Excerpts of the deposition of Charles Nikias) (Brault, Darcie) (Entered: 09/13/2010)
09/13/2010	<u>210</u>	<b>SEALED</b> EXHIBIT D – June 27, 2005 email re: HVAC Sales REP Retention as of June 24, 2005 (FILED UNDER SEAL) re <u>209</u> Response to Motion, by All Plaintiffs. (Brault, Darcie) (Entered: 09/13/2010)
09/13/2010	<u>211</u>	<b>SEALED</b> EXHIBIT E – August 22, 2006 email re: Sales Rep Comp: HVAC vs. SHIP (FILED UNDER SEAL) re <u>209</u> Response to Motion, by All Plaintiffs. (Brault, Darcie) (Entered: 09/13/2010)
09/16/2010	<u>212</u>	STIPULATION AND ORDER extending deadlines re <u>207</u> MOTION for Summary Judgment: <b>Responses due by 10/8/2010, Replies due by 10/25/2010, Motion Hearing <u>204</u> <u>207</u> re–set for 11/10/2010 09:30 AM before District Judge George Caram Steeh</b> Signed by District Judge George Caram Steeh. (MBea) (Entered: 09/16/2010)
10/04/2010	<u>213</u>	ATTORNEY APPEARANCE: James F. Hermon appearing on behalf of All Defendants (Hermon, James) (Entered: 10/04/2010)
10/04/2010	<u>214</u>	NOTICE of Appearance by Patrick F. Hickey on behalf of All Defendants. (Hickey, Patrick) (Entered: 10/04/2010)
10/04/2010	<u>215</u>	REPLY to Response re <u>204</u> MOTION Exclude Opt–In Plaintiff Charles Nikias <i>From This Collective Action and Dismiss His Claims</i> filed by All Defendants. (Hermon, James) (Entered: 10/04/2010)
10/04/2010	<u>216</u>	NOTICE of Appearance by James P. Feeney on behalf of All Defendants. (Feeney, James) (Entered: 10/04/2010)
10/04/2010	<u>217</u>	NOTICE of Appearance by Paul A. Wilhelm on behalf of Sears Holdings Corporation, Sears Home Improvement Products, Incorporated, Sears, Roebuck and Company. (Wilhelm, Paul) (Entered: 10/04/2010)
10/06/2010	<u>218</u>	MOTION to Exclude Testimony and Opinions of Nitin Paranjpe, Ph.D. by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Paranjpe Report, # <u>3</u> Exhibit B – Paranjpe Deposition Transcript, # <u>4</u> Exhibit C – 7/8/04 Memorandum, # <u>5</u> Exhibit D – 10/28/04 Letter and Attachment, # <u>6</u> Exhibit E – Allen Deposition Transcript (excerpts. p.8), # <u>7</u> Exhibit F – Exhibit 11 to Paranjpe Deposition, # <u>8</u> Exhibit G – 12/10/09 Correspondence from Plaintiffs' counsel, # <u>9</u>

		Exhibit H – Nikias Consent Form) (Hickey, Patrick) (Entered: 10/06/2010)
10/08/2010	<u>219</u>	STIPULATED ORDER extending dates for response and reply re <u>207</u> MOTION for Summary Judgment. Signed by District Judge George Caram Steeh. (MBea) (Entered: 10/08/2010)
10/14/2010	<u>220</u>	RESPONSE to <u>207</u> MOTION for Summary Judgment filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit C – Excerpts from the depositions of Plaintiffs, # <u>3</u> Exhibit F – Declaration of Nitin Paranjpe, Ph.D., # <u>4</u> Exhibit G – Declaration of Nitin Paranjpe, Ph.D., # <u>5</u> Exhibit K – Excerpts from the deposition of Mark Good, # <u>6</u> Exhibit L – Response to 30(b)(6) deposition, # <u>7</u> Exhibit Q – Dennis Declaration, # <u>8</u> Exhibit S – Excerpts from the deposition of Joe Steenbeke, # <u>9</u> Exhibit T – Excerpts from the deposition of Teige McShane, # <u>10</u> Exhibit X – Excerpts from the deposition of Dr. Nitin Paranjpe, # <u>11</u> Exhibit Y – EEOC Proposed Rules, # <u>12</u> Exhibit AA – Sears Holdings Corporation 2006 Annual Report, # <u>13</u> Exhibit BB – Willms Declaration, # <u>14</u> Exhibit CC – Correspondence from Trustee) (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>221</u>	<b>SEALED</b> EXHIBIT A – June 27, 2005 email re: HVAC Sales Rep Retention as of June 24, 2005 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>222</u>	<b>SEALED</b> EXHIBIT B – August 22, 2006 email re: Sales Rep Comp: HVAC vs. SHIP (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>223</u>	<b>SEALED</b> EXHIBIT D – Exit Interview Analysis with Excerpts (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Attachments: # <u>1</u> Document Continuation, # <u>2</u> Document Continuation, # <u>3</u> Document Continuation) (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>224</u>	<b>SEALED</b> EXHIBIT E – Sears records of Internal Complaints (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>225</u>	<b>SEALED</b> EXHIBIT H – SHIP Integration of HVAC and CSG (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>226</u>	<b>SEALED</b> EXHIBIT I – Draft Option Review for Pension Retiree Medical (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>227</u>	<b>SEALED</b> EXHIBIT J – August 17, 2004 email re: Demographic Analysis: Comparison of SHIP, HVAC and CSG (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>228</u>	<b>SEALED</b> EXHIBIT M – Novak 00121 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>229</u>	<b>SEALED</b> EXHIBIT N – Sears 00154 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>230</u>	<b>SEALED</b> EXHIBIT O – Sears 00169 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>231</u>	<b>SEALED</b> EXHIBIT P – Record of SHIP/HVAC Sales for Plaintiffs (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>232</u>	<b>SEALED</b> EXHIBIT R – Sears/Allen-30490 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>233</u>	<b>SEALED</b> EXHIBIT U – Sears-00304 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>234</u>	<b>SEALED</b> EXHIBIT V – Sears/Allen 81885 (FILED UNDER SEAL) re <u>220</u> Response to Motion,,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)

10/14/2010	<u>235</u>	<b>SEALED</b> EXHIBIT <i>W</i> – <i>Series of Internal Sears Communications (FILED UNDER SEAL)</i> re <u>220</u> Response to Motion,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/14/2010	<u>236</u>	<b>SEALED</b> EXHIBIT <i>Z</i> – <i>Memorandum re: Impact of Expense Reimbursement (FILED UNDER SEAL)</i> re <u>220</u> Response to Motion,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/14/2010)
10/19/2010	<u>237</u>	RESPONSE to <u>218</u> MOTION to Exclude Testimony and Opinions of Nitin Paranjpe, Ph.D. filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit D – Declaration and report of Nitin Paranjpe, Ph.D., # <u>3</u> Exhibit E – Declaration of Nitin Paranjpe, Ph. D. dated October 13, 2010, # <u>4</u> Exhibit F – Deposition of Nitin Paranjpe, Ph. D., # <u>5</u> Exhibit G– Excerpts of the deposition of Charles Nikias, # <u>6</u> Exhibit H – Charles P. Nikias Answer to Defendants First Set of Interrogatories, # <u>7</u> Exhibit I – Exhibit 3 from the deposition of Nitin Paranjpe, Ph. D., # <u>8</u> Exhibit J – Declaration of Nitin Paranjpe, Ph. D. dated October 19, 2010, # <u>9</u> Exhibit K – Exhibit 4 from the deposition of Nitin Paranjpe, Ph. D.) (Brault, Darcie) (Entered: 10/19/2010)
10/19/2010	<u>238</u>	<b>SEALED</b> EXHIBIT <i>A</i> – <i>June 27, 2005 e-mail from McShane to Steenbeke et al (FILED UNDER SEAL)</i> re <u>237</u> Response to Motion,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/19/2010)
10/19/2010	<u>239</u>	<b>SEALED</b> EXHIBIT <i>B</i> – <i>August 22, 2006 e-mail from Purvis to McShane (FILED UNDER SEAL)</i> re <u>237</u> Response to Motion,, by All Plaintiffs. (Brault, Darcie) (Entered: 10/19/2010)
10/19/2010	<u>240</u>	<b>SEALED</b> EXHIBIT <i>C</i> – <i>Defendants Third Supplemental Answers and Objections to Plaintiffs First Interrogatories Directed to Defendants (FILED UNDER SEAL)</i> re <u>237</u> Response to Motion,, by All Plaintiffs. (Attachments: # <u>1</u> Document Continuation) (Brault, Darcie) (Entered: 10/19/2010)
10/28/2010	<u>241</u>	REPLY to Response re <u>207</u> MOTION for Summary Judgment filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Discovery Responses of Opt-In Plaintiffs, # <u>3</u> Exhibit B – Transcript of 3/30/09 Hearing, # <u>4</u> Exhibit C – Unreported Cases) (Hickey, Patrick) (Entered: 10/28/2010)
10/29/2010	<u>242</u>	REPLY to Response re <u>218</u> MOTION to Exclude Testimony and Opinions of Nitin Paranjpe, Ph.D. filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Unreported Cases) (Hickey, Patrick) (Entered: 10/29/2010)
11/04/2010	<u>243</u>	NOTICE of hearing on <u>218</u> MOTION to Exclude Testimony and Opinions of Nitin Paranjpe, Ph.D.. <b>Motion Hearing set for 11/10/2010 09:30 AM before District Judge George Caram Steeh.</b> (MBea) (Entered: 11/04/2010)
11/10/2010		Minute Entry – Motion Hearing held on 11/10/2010 re <u>207</u> MOTION for Summary Judgment filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, <u>218</u> MOTION to Exclude Testimony and Opinions of Nitin Paranjpe, Ph.D. filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation, <u>204</u> MOTION Exclude Opt-In Plaintiff Charles Nikias filed by Sears, Roebuck and Company, Sears Home Improvement Products, Incorporated, Sears Holdings Corporation before District Judge George Caram Steeh. Disposition: taken under advisement(Court Reporter Ron DiBartolomeo) (MBea) (Entered: 11/10/2010)
03/10/2011	<u>244</u>	ORDER granting <u>204</u> defendants' Motion to exclude opt-in plaintiff Charles Nikias. Signed by District Judge George Caram Steeh. (MBea) (Entered: 03/10/2011)
03/10/2011	<u>245</u>	ORDER granting <u>207</u> defendants' Motion for Summary Judgment. Signed by District Judge George Caram Steeh. (MBea) (Entered: 03/10/2011)
03/10/2011	<u>246</u>	ORDER denying <u>218</u> defendants' Motion to exclude testimony and opinions of Nitin Paranjpe, PH.D.. Signed by District Judge George Caram Steeh. (MBea) (Entered: 03/10/2011)

03/10/2011	<u>247</u>	JUDGMENT in favor of defendants. Signed by District Judge George Caram Steeh. (MBea) (Entered: 03/10/2011)
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