

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:06-cv-03841-ADM-JSM**

Equal Employment Opportunity Commission v. Leiferman
Enterprises, LLC
Assigned to: Judge Ann D. Montgomery
Referred to: Magistrate Judge Janie S. Mayeron
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/26/2006
Date Terminated: 07/09/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Brian C Tyndall**
Equal Employment Opportunity
Commission
310 W Wisconsin Ave Ste 800
INACTIVE
Milwaukee, WI 53203-2292
414-297-1130
Fax: 414-297-3146
Email: brian.tyndall@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jean P Kamp
Equal Employment Opportunity
Commission
500 W. Madison Street
Suite 2000
INACTIVE
Chicago, IL 60661
312-869-8116
Fax: 312-869-8124
Email: jean.kamp@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John-NA C Hendrickson
Not Admitted
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Leiferman Enterprises, LLC
doing business as
Harmon Autoglass

represented by **Leiferman Enterprises, LLC**
James Bartholomew
Lighthouse Management Group, Inc
PO Box 2057
Stillwater, MN 55082
651-439-5119
PRO SE

Corie J Tarara
Seaton, Peters & Revnew, PA
7300 Metro Blvd Ste 500
Mpls, MN 55439
952-921-4615
Fax: 952-896-1704
Email: ctarara@seatonlaw.com
TERMINATED: 04/21/2007
ATTORNEY TO BE NOTICED

Thomas R Revnew
 Seaton, Peters & Revnew, PA
 7300 Metro Blvd Ste 500
 Mpls, MN 55439
 952-896-1700
 Fax: 952-896-1704
 Email: trevnew@seatonlaw.com
 TERMINATED: 04/21/2007
 ATTORNEY TO BE NOTICED

Defendant

**Auto Glass Repair and Windshield
 Replacement Services, Inc.**

represented by **Gregory M Erickson**
 Mohrman Kaardal & Erickson, PA
 150 S 5th St. Ste. 3100
 Mpls, MN 55402
 United Sta
 612-465-0937
 Fax: 612-341-1076
 Email: erickson@mklaw.com
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Steven R Kluz
 Stoel Rives LLP
 33 S 6th St Ste 4200
 Mpls, MN 55402
 612-373-8824
 Fax: 612-373-8881
 Email: steve.kluz@stoel.com
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/26/2006	<u>1</u>	COMPLAINT with Jury Demand against Leiferman Enterprises, LLC. Assigned to Judge Joan N. Ericksen per Civil Rights list and referred to Magistrate Judge Jeanne J. Graham., filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(RJL) (Entered: 09/26/2006)
11/22/2006	<u>2</u>	ANSWER to Complaint by Leiferman Enterprises, LLC. (Attachments: # <u>1</u> Certificate of Service)(Tarara, Corie) (Entered: 11/22/2006)
12/14/2006	<u>3</u>	WAIVER OF SERVICE Returned Executed filed by Equal Employment Opportunity Commission. Leiferman Enterprises, LLC waiver sent on 11/12/2006, answer due 1/11/2007. (Tyndall, Brian) (Entered: 12/14/2006)
12/19/2006	<u>4</u>	NOTICE of Hearing: Pretrial Conference set for 2/9/2007 10:30 AM, in Room 750, 180 East 5th Street, St Paul, before Magistrate Judge Jeanne J. Graham. (RJL) (Entered: 12/19/2006)
02/02/2007	<u>5</u>	LETTER TO MAGISTRATE JUDGE by Equal Employment Opportunity Commission <i>regarding Parties Joint Rule 26(f) Report</i> . (Tyndall, Brian) (Entered: 02/02/2007)
02/02/2007	<u>6</u>	DOCUMENT FILED IN ERROR - WILL RE-FILE REPORT of Rule 26(f) Planning Meeting by Equal Employment Opportunity Commission.(Tyndall, Brian) Modified on 2/2/2007 (jam). (Entered: 02/02/2007)
02/02/2007	<u>7</u>	REPORT of Rule 26(f) Planning Meeting by Equal Employment Opportunity Commission, Leiferman Enterprises, LLC.(Tyndall, Brian) Modified filers and text on 2/5/2007 (akl). (Entered: 02/02/2007)
02/07/2007	<u>8</u>	MOTION to Withdraw as Attorney by Leiferman Enterprises, LLC. (Revnew, Thomas) (Entered: 02/07/2007)

02/07/2007	<u>9</u>	NOTICE OF HEARING ON MOTION <u>8</u> MOTION to Withdraw as Attorney: Motion Hearing set for 3/21/2007 09:00 AM in St Paul – Courtroom 5 before Magistrate Judge Jeanne J. Graham. (Revnew, Thomas) (Entered: 02/07/2007)
02/07/2007	<u>10</u>	MEMORANDUM in Support re <u>8</u> MOTION to Withdraw as Attorney for <i>Leiferman Enterprises,LLc d/b/a Harmon Autoglass</i> filed by Leiferman Enterprises, LLC. (Revnew, Thomas) (Entered: 02/07/2007)
02/07/2007	<u>11</u>	AFFIDAVIT of Thomas R. Revnew in SUPPORT OF <u>8</u> MOTION to Withdraw as Attorney for <i>Leiferman Enterprises, LLC d/ba Harmon Autoglass</i> filed by Leiferman Enterprises, LLC. (Attachments: # <u>1</u> Exhibit(s) A# <u>2</u> Exhibit(s) B# <u>3</u> Exhibit(s) C# <u>4</u> Exhibit(s) D)(Revnew, Thomas) (Entered: 02/07/2007)
02/07/2007	<u>12</u>	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by Leiferman Enterprises, LLC re <u>10</u> Memorandum in Support of Motion filed by Leiferman Enterprises, LLC. (Revnew, Thomas) (Entered: 02/07/2007)
02/07/2007	<u>13</u>	CERTIFICATE OF SERVICE by Leiferman Enterprises, LLC re <u>11</u> Affidavit in Support of Motion,, <u>9</u> Notice of Hearing on Motion, <u>10</u> Memorandum in Support of Motion, <u>8</u> MOTION to Withdraw as Attorney, <u>12</u> LR7.1 Word Count Compliance Certificate (Revnew, Thomas) (Entered: 02/07/2007)
02/12/2007	<u>14</u>	AMENDED NOTICE of Hearing on Motion <u>8</u> MOTION to Withdraw as Attorney: Motion Hearing set for 3/21/2007 09:00 AM in Minneapolis – Courtroom 9W before Magistrate Judge Jeanne J. Graham. (Attachments: # <u>1</u> Certificate of Service)(Revnew, Thomas) (Entered: 02/12/2007)
02/12/2007	<u>15</u>	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 6/1/2007. Discovery due by 12/29/2007. Motions (non-disp) due 12/29/2007. Motions (disp) due by 2/1/2008. Ready for trial due by 4/1/2008.. Signed by Magistrate Judge Jeanne J. Graham on 2/12/07. (RJL) (Entered: 02/12/2007)
03/16/2007	<u>16</u>	DISCLOSURES <i>Rule 26(a) Report</i> by Leiferman Enterprises, LLC. (Attachments: # <u>1</u> Certificate of Service)(Tarara, Corie) (Entered: 03/16/2007)
03/21/2007	<u>17</u>	Minute Entry for proceedings held before Magistrate Judge Jeanne J. Graham : Motion Hearing held on 3/21/2007 re <u>8</u> MOTION to Withdraw as Attorney filed by Leiferman Enterprises, LLC,. Motion granted to the extent stated on the record at the hearing. Written order to follow. (Tape #JJG Civil MPLS #9) (RJL) (Entered: 03/22/2007)
03/23/2007	<u>18</u>	ORDER re <u>8</u> MOTION to Withdraw as Attorney filed by Leiferman Enterprises, LLC is GRANTED to the extent that Seaton, Beck & Peters withdrawl as counsel for the defendant Leifman Enterprises, LLC shall be effective on 4/21/07, or at such a time as defendant notifies this Court of Substitutute counsel, whichever comes first.. Signed by Magistrate Judge Jeanne J. Graham on 3/23/07. (RJL) (Entered: 03/23/2007)
04/10/2007	<u>19</u>	CERTIFICATE OF SERVICE by Leiferman Enterprises, LLC re <u>18</u> Order, <i>Granting Motion to Withdraw as Counsel</i> (Revnew, Thomas) (Entered: 04/10/2007)
06/01/2007	<u>20</u>	DOCUMENT FILED IN ERROR–DUPLICATE ENTRY—NOTICE by Equal Employment Opportunity Commission <i>Plaintiff Notice of Motion for Leave to File First Amended Complaint</i> (Tyndall, Brian) Modified on 6/4/2007 (akl). (Entered: 06/01/2007)
06/01/2007	<u>21</u>	DOCUMENT FILED IN ERROR–DUPLICATE ENTRY—First MOTION to Amend/Correct <i>Plaintiff's Motion for Leave to File First Amended Complaint</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified on 6/4/2007 (akl). (Entered: 06/01/2007)
06/01/2007	<u>22</u>	MOTION for Leave to File <i>to File First Amended Complaint</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 06/01/2007)
06/01/2007	<u>23</u>	EXHIBIT re <u>22</u> Motion to Amend/Correct by Equal Employment Opportunity Commission. <i>Proposed First Amended Complaint</i> . (Tyndall, Brian) Modified link and text on 6/4/2007 (akl). (Entered: 06/01/2007)
06/01/2007	<u>24</u>	NOTICE of Motion re <u>22</u> Motion to Amend by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified text on 6/4/2007 (akl). (Entered: 06/01/2007)

06/01/2007	<u>25</u>	RESPONSE in Support re <u>22</u> MOTION for Leave to File <i>to File First Amended Complaint Plaintiff's Brief in Support of Motion for Leave to File First Amended Complaint</i> filed by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 06/01/2007)
06/01/2007	<u>26</u>	AFFIDAVIT in Support of <i>Motion for Leave to File First Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit(s) A through I)(Tyndall, Brian) (Entered: 06/01/2007)
06/04/2007	<u>27</u>	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by Equal Employment Opportunity Commission re <u>25</u> Response in Support of Motion,. (Tyndall, Brian) (Entered: 06/04/2007)
06/29/2007	<u>28</u>	MOTION to Amend/Correct <i>Unopposed Motion to Amend Scheduling Order</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 06/29/2007)
07/02/2007	<u>29</u>	ORDER granting <u>28</u> Motion to Amend Scheduling Order. Signed by Magistrate Judge Jeanne J. Graham on 7/2/07. (JMH) (Entered: 07/02/2007)
07/25/2007	<u>30</u>	LETTER TO MAGISTRATE JUDGE by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 07/25/2007)
07/25/2007	<u>31</u>	STIPULATION <i>and Order Allowing Filing of First Amended Complaint</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 07/25/2007)
07/27/2007	<u>32</u>	ORDER striking <u>22</u> Motion for Leave to File Amended Complaint. The First Amended Complaint dated 6/1/07 may be filed herein and shall be deemed served upon defendants on 7/31/07 without further action by plaintiff.. Signed by Magistrate Judge Jeanne J. Graham on 7/27/07. (RJL) (Entered: 07/30/2007)
08/20/2007	<u>33</u>	MOTION to Dismiss by Auto Glass Repair and Windshield Replacement Services, Inc.. (Erickson, Gregory) (Entered: 08/20/2007)
08/20/2007	<u>34</u>	NOTICE OF HEARING ON MOTION <u>33</u> MOTION to Dismiss: Motion Hearing set for 10/11/2007 09:30 AM in Minneapolis – Courtroom 12W before Magistrate Judge Jeanne J. Graham. (Erickson, Gregory) (Entered: 08/20/2007)
08/20/2007	<u>35</u>	CERTIFICATE OF SERVICE by Auto Glass Repair and Windshield Replacement Services, Inc. re <u>33</u> MOTION to Dismiss, <u>34</u> Notice of Hearing on Motion (Erickson, Gregory) (Entered: 08/20/2007)
08/22/2007	<u>36</u>	ORDER REFERRING MOTION: <u>33</u> MOTION to Dismiss filed by Auto Glass Repair and Windshield Replacement Services, Inc. to Magistrate Judge Jeanne J. Graham . Signed by Judge Joan N. Ericksen on August 22, 2007. (slf) (Entered: 08/22/2007)
08/27/2007	<u>37</u>	AMENDED NOTICE of Hearing on Motion <u>33</u> MOTION to Dismiss : Motion Hearing set for 10/18/2007 09:30 AM in St. Paul before Magistrate Judge Jeanne J. Graham. (Attachments: # <u>1</u> Certificate of Service)(Erickson, Gregory) Modified text on 8/28/2007 (akl). (Entered: 08/27/2007)
09/04/2007	<u>38</u>	Amended MOTION to Dismiss, MOTION for Summary Judgment by Auto Glass Repair and Windshield Replacement Services, Inc.. (Erickson, Gregory) (Entered: 09/04/2007)
09/04/2007	<u>39</u>	AMENDED NOTICE of Hearing on Motion <u>38</u> Amended MOTION to Dismiss MOTION for Summary Judgment, <u>33</u> MOTION to Dismiss : Motion Hearing set for 11/2/2007 11:00 AM before Judge Joan N. Ericksen. (Erickson, Gregory) (Entered: 09/04/2007)
09/04/2007	<u>40</u>	MEMORANDUM in Support re <u>38</u> Amended MOTION to Dismiss MOTION for Summary Judgment filed by Auto Glass Repair and Windshield Replacement Services, Inc.. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Erickson, Gregory) (Entered: 09/04/2007)
09/04/2007	<u>41</u>	Declaration of James Bartholomew in Support of <u>39</u> Amended Notice of Hearing on Motion, <u>40</u> Memorandum in Support of Motion, <u>38</u> Amended MOTION to Dismiss MOTION for Summary Judgment filed by Auto Glass Repair and Windshield Replacement Services, Inc.. (Attachments: # <u>1</u> Exhibit(s) A# <u>2</u> Exhibit(s) B)(Erickson, Gregory) (Entered: 09/04/2007)

09/04/2007	<u>42</u>	AFFIDAVIT of Thomas Buckley in SUPPORT OF <u>38</u> Amended MOTION to Dismiss MOTION for Summary Judgment filed by Auto Glass Repair and Windshield Replacement Services, Inc.. (Attachments: # <u>1</u> Exhibit(s) 1# <u>2</u> Exhibit(s) 2 (part 1)# <u>3</u> Exhibit(s) 2 (part 2)# <u>4</u> Exhibit(s) 2 (part 3)# <u>5</u> Exhibit(s) 3# <u>6</u> Exhibit(s) 4# <u>7</u> Exhibit(s) 5)(Erickson, Gregory) (Entered: 09/04/2007)
09/04/2007	<u>43</u>	CERTIFICATE OF SERVICE by Auto Glass Repair and Windshield Replacement Services, Inc. re <u>39</u> Amended Notice of Hearing on Motion, <u>41</u> Declaration in Support, <u>40</u> Memorandum in Support of Motion, <u>42</u> Affidavit in Support of Motion, <u>38</u> Amended MOTION to Dismiss MOTION for Summary Judgment (Erickson, Gregory) (Entered: 09/04/2007)
09/06/2007	<u>44</u>	DISQUALIFICATION ORDER. Judge Joan N. Ericksen recused, Magistrate Judge Jeanne J. Graham no longer assigned to case. Case reassigned to Judge Richard H. Kyle and Magistrate Judge Janie S. Mayeron for all further proceedings. The new case number is 06cv3841 RHK/JSM. Signed by Judge Joan N. Ericksen on 9/5/07. (JME) (Entered: 09/06/2007)
09/06/2007	<u>45</u>	ORDER for Disqualification and for Reassignment. (Written Opinion). Signed by Judge Richard H. Kyle on 09/06/07. (rhks) (Entered: 09/06/2007)
09/07/2007		NOTICE to Attorneys that this case has been reassigned to Judge Ann D. Montgomery. Judge Richard H. Kyle no longer assigned to the case. The new case number is 06cv3841 ADM/JSM. (JME) (Entered: 09/07/2007)
09/28/2007	<u>46</u>	MOTION to Amend/Correct <i>Scheduling Order–Unopposed</i> by Auto Glass Repair and Windshield Replacement Services, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Erickson, Gregory) (Entered: 09/28/2007)
10/10/2007	<u>47</u>	SECOND AMENDED SCHEDULING ORDER:Motions (non–disp) due 12/29/2007. Signed by Magistrate Judge Janie S. Mayeron on 10/9/07. (akl) (Entered: 10/10/2007)
11/16/2007	<u>48</u>	Stipulated MOTION to Extend <i>Hearing Date</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified text on 11/19/2007 (dch). (Entered: 11/16/2007)
11/27/2007	<u>49</u>	MOTION to Amend/Correct <i>Stipulated Motion to Change Date for Completion of Discovery</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 11/27/2007)
11/28/2007	<u>50</u>	NOTICE OF WITHDRAWAL FROM CASE by Leiferman Enterprises, LLC (Attachments: # <u>1</u> Certificate of Service)(Revnew, Thomas) (Entered: 11/28/2007)
11/30/2007	<u>51</u>	THIRD AMENDED SCHEDULING ORDER:Discovery due by 3/1/2008, Motions (non–disp) due 3/15/2008, Motions (disp) due by 5/1/2008, Ready for trial due by 7/1/2008. Signed by Magistrate Judge Janie S. Mayeron on 11/30/07. (JME) (Entered: 11/30/2007)
02/14/2008	<u>52</u>	CONSENT DECREE AND ORDER RESOLVING CLAIMS AGAINST AUTO GLASS REPAIR AND WINDSHIELD REPLACEMENT SERVICES, INC. Signed by Judge Ann D. Montgomery on 2/14/2008. (GS) Modified text on 2/15/2008 (RJL). (Entered: 02/14/2008)
05/01/2008	<u>53</u>	Notice of Hearing on <u>54</u> Motion for Default Judgment as to Leiferman Enterprises, LLC: Motion Hearing set for 6/16/08 at 3:00 pm in Minneapolis–Courtroom 13W before Judge Ann D. Montgomery. (Tyndall, Brian) Modified link and text on 5/2/2008 (akl). (Entered: 05/01/2008)
05/01/2008	<u>54</u>	MOTION for Default Judgment as to Leiferman Enterprises, LLC by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified text on 5/2/2008 (akl). (Entered: 05/01/2008)
05/01/2008	<u>55</u>	DECLARATION of Brian C. Tyndall in Support <u>54</u> Motion for Default Judgment. (Tyndall, Brian) Modified link and text on 5/2/2008 (akl). (Entered: 05/01/2008)
05/01/2008	<u>56</u>	Memorandum in Support <u>54</u> Motion for Default Judgment with attached LR 7.1 Word Count Compliance Certificate filed by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified link and text on 5/2/2008 (akl). (Entered: 05/01/2008)

05/01/2008	<u>57</u>	MOTION to Amend <i>Scheduling Order</i> by Equal Employment Opportunity Commission. (Tyndall, Brian) Modified text on 5/2/2008 (akl). (Entered: 05/01/2008)
05/07/2008	<u>58</u>	FOURTH AMENDED SCHEDULING ORDER: (Motions (disp) due by 7/1/2008). Signed by Magistrate Judge Janie S. Mayeron on 5/7/08. (akl) (Entered: 05/07/2008)
06/16/2008	59	TEXT ONLY Minute Entry for proceedings held before Judge Ann D. Montgomery: Motion Hearing held on 6/16/2008 re <u>54</u> MOTION for Default Judgment as to Leiferman Enterprised, LLC, d/b/a/ Harmon AutoGlass filed by Equal Employment Opportunity Commission. Motion granted; Order to be filed. Plaintiff to submit Affidavit for money damages by July 1, 2008. (Court Reporter Timothy J. Willette) (tlu) (Entered: 06/16/2008)
06/16/2008	<u>60</u>	ORDER granting <u>54</u> Motion for Default Judgment (Written Opinion). Signed by Judge Ann D. Montgomery on 06/16/2008. (tlu) (Entered: 06/16/2008)
07/01/2008	<u>61</u>	Second Declaration of Brian C. Tyndall in Support of <u>60</u> Order on Motion for Default Judgment filed by Equal Employment Opportunity Commission. (Tyndall, Brian) (Entered: 07/01/2008)
07/09/2008	<u>62</u>	ORDER re Judgment against Lieferman. Signed by Judge Ann D. Montgomery on 7/9/2008. (GS) (Entered: 07/09/2008)
07/10/2008	<u>63</u>	JUDGMENT in favor of Equal Employment Opportunity Commission against Leiferman Enterprises, LLC. (Attachments: # <u>1</u> Civil-8th Circuit Pre-Hearing Conference Notice, # <u>2</u> Civil Notice - appeal)(akl) (Entered: 07/10/2008)