

**U.S. District Court  
Western District of Missouri (Kansas City)  
CIVIL DOCKET FOR CASE #: 4:00-cv-00878-GAF**

Miller v. John Knox Village  
Assigned to: District Judge Gary A. Fenner  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/29/2000  
Date Terminated: 05/31/2002  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Shirley Miller**

represented by **Brett A. Davis**  
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V.

**Defendant**

**John Knox Village**

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Date Filed	#	Docket Text
08/29/2000	<u>1</u>	COMPLAINT against John Knox Village. filed by William T Bernard, Kirk Daniel Holman on behalf of Shirley Miller. Receipt #178906. (Attachments: # <u>1</u> Civil Cover Sheet)(Kee, Georgia) (Entered: 08/30/2000)
08/29/2000	<u>2</u>	Notice of EAPADMIN.(Kee, Georgia) (Entered: 08/30/2000)
09/25/2000	<u>3</u>	MOTION to stay <i>Proceedings and for Extension of Time to Answer or Otherwise Plead in Response to the Complaint</i> (related document(s) <u>1</u> ) on behalf of John Knox Village. (Attachments: # <u>1</u> Suggestions in Support of Defendant's Motion to Stay Proceedings and For Extension of Time to Answer or Otherwise Plead in Response to the Complaint# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2# <u>4</u> Exhibit 3# <u>5</u> Exhibit 4# <u>6</u> Exhibit 5# <u>7</u> Exhibit 6# <u>8</u> Exhibit 7)(Novion, Laurie) (Entered: 09/25/2000)
09/26/2000	<u>4</u>	ORDER granting deft's motion for extension of time to respond to complaint entered by Judge Gary A. Fenner.(Mitchell, Lisa) (Entered: 09/26/2000)
09/28/2000	<u>5</u>	SUGGESTIONS IN OPPOSITION <i>To Defendant's Motion for Stay of Proceedings</i> filed by Kirk Daniel Holman of Holman & Associates on behalf of Shirley Miller. Reply Suggestions due by 10/10/2000. (Related motion(s) <u>3</u> ) (Other related filing(s) <u>1</u> , <u>3</u> ) (Holman, Kirk) (Entered: 09/28/2000)
10/10/2000	<u>6</u>	REPLY SUGGESTIONS filed by Stanley Daryl Davis of Shook, Hardy & Bacon L.L.P. on behalf of John Knox Village. (Related motion(s) <u>3</u> ) (Kendall, Shelly) (Entered: 10/11/2000)
11/01/2000	<u>7</u>	ORDER by Judge Gary A. Fenner granting motion to stay (Related Doc # <u>3</u> ) (Mitchell, Lisa) (Entered: 11/01/2000)
04/26/2001	<u>8</u>	STATUS REPORT filed by Laurie Ann Novion of Shook, Hardy & Bacon, L.L.P. on behalf of John Knox Village.(Novion, Laurie) Modified on 4/30/2001 to remove blank page from document (Jones, Robin). (Entered: 04/26/2001)
04/26/2001	<u>9</u>	MOTION for leave to file <i>First Amended Complaint</i> on behalf of Shirley Miller. (Attachments: # <u>1</u> Exhibit First Amended Complaint# <u>2</u> Exhibit MCHR Right to Sue# <u>3</u> Exhibit EEOC Right to Sue)(Jones, Robin) Modified on 4/27/2001 to attach correct exhibit (Jones, Robin). (Entered: 04/27/2001)
05/15/2001	<u>10</u>	Order entered by Judge Gary A. Fenner on 5/15/2001 granting motion for leave to file (Related Doc # <u>9</u> ) (Mitchell, Lisa) (Entered: 05/15/2001)
05/21/2001	<u>11</u>	AMENDED COMPLAINT against John Knox Village. Filed by Kirk Daniel Holman on behalf of Shirley Miller. Service due by 9/18/2001, (Attachments: # <u>1</u> Exhibit Charge of Discrimination# <u>2</u> Pleading MCHR Right to Sue# <u>3</u> Pleading EEOC Right to Sue)(Holman, Kirk) (Entered: 05/21/2001)

05/31/2001	<u>12</u>	ANSWER to amended complaint (Related Doc # <u>11</u> ) filed by Carole Kay DeWald on behalf of John Knox Village. (Related document(s) <u>11</u> ) (DeWald, Carole) (Entered: 05/31/2001)
06/01/2001	<u>13</u>	Joint PROPOSED SCHEDULING ORDER <i>AND DISCOVERY PLAN</i> filed by Carole Kay DeWald on behalf of John Knox Village. (DeWald, Carole) (Entered: 06/01/2001)
06/11/2001	<u>14</u>	RULES OF TRIAL entered by Judge Gary A. Fenner(Mitchell, Lisa) (Entered: 06/11/2001)
06/11/2001	<u>15</u>	SCHEDULING ORDER entered by Judge Gary A. Fenner.Discovery due by 1/30/2002, pre-trial conference set for 9/6/2002 at 02:30 PM at Chambers, accelerated jury trial held on 10/7/2002 at 09:00AM at Courtroom 8A, Kansas City (GAF) dispositive motions due by 2/25/2002, (Mitchell, Lisa) (Entered: 06/11/2001)
09/14/2001	<u>16</u>	ADDRESS CHANGE NOTICE filed by Kirk Daniel Holman on behalf of Shirley Miller. (Holman, Kirk) (Entered: 09/14/2001)
11/21/2001	<u>17</u>	NOTICE OF DEPOSITION of shirley miller on November 30, 2001 filed by Carole Kay DeWald on behalf of John Knox Village. (DeWald, Carole) (Entered: 11/21/2001)
12/10/2001	<u>18</u>	Amended NOTICE OF DEPOSITION of Shirley Miller on December 19, 2001 ( <i>Videotaped</i> ) filed by Carole Kay DeWald on behalf of John Knox Village. (DeWald, Carole) (Entered: 12/10/2001)
12/26/2001	<u>19</u>	CERTIFICATE OF SERVICE <i>for Plaintiff's First Request for Production of Documents to Defendant</i> filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 12/26/2001)
12/27/2001	<u>20</u>	CERTIFICATE OF SERVICE <i>Defendant's First Set of Interrogatories and Defendant's First Request for Production of Documents</i> filed by Stanley Daryl Davis on behalf of John Knox Village. (Davis, Stanley) (Entered: 12/27/2001)
12/28/2001	<u>21</u>	CERTIFICATE OF SERVICE <i>for Plaintiff's First Interrogatories to Defendant and Plaintiff's Second Request for Production of Documents to Defendant</i> filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 12/28/2001)
01/02/2002	<u>22</u>	Amended NOTICE OF DEPOSITION of Shirley Miller on January 14, 2002 ( <i>Videotaped</i> ) filed by Carole Kay DeWald on behalf of John Knox Village. (DeWald, Carole) (Entered: 01/02/2002)
01/09/2002	<u>23</u>	Joint MOTION to amend <i>the Scheduling Order</i> filed by Brett A. Davis on behalf of Shirley Miller. suggestions in opposition due by 1/24/2002. (Davis, Brett) (Entered: 01/09/2002)
01/09/2002	<u>24</u>	Order entered by Judge Gary A. Fenner on 1/9/2002 granting motion to amend (Related Doc # <u>23</u> ) (Mitchell, Lisa) (Entered: 01/09/2002)
01/11/2002	<u>25</u>	CERTIFICATE OF SERVICE OF INITIAL RULE 26 DISCLOSURES filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 01/11/2002)
02/05/2002	<u>26</u>	MOTION to withdraw/substitute attorney filed by Kirk Daniel Holman on behalf of Shirley Miller. suggestions in opposition due by 2/20/2002. (Holman, Kirk) (Entered: 02/05/2002)
02/05/2002	<u>27</u>	Order entered by Judge Gary A. Fenner on 2/5/2002 granting motion to withdraw/substitute attorney (Related Doc # <u>26</u> ) (Mitchell, Lisa) (Entered: 02/05/2002)
02/22/2002	<u>28</u>	NOTICE OF DEPOSITION of Stephanie Roberts filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 02/22/2002)
02/22/2002	<u>29</u>	NOTICE OF DEPOSITION of Mary Lou Gajdosik filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 02/22/2002)
02/22/2002	<u>30</u>	NOTICE OF DEPOSITION of Betty Freeman-Boots filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 02/22/2002)

02/22/2002	<u>31</u>	NOTICE OF DEPOSITION of Trudy Stultz filed by Brett A. Davis on behalf of Shirley Miller. (Davis, Brett) (Entered: 02/22/2002)
02/27/2002	<u>32</u>	MOTION to withdraw/substitute attorney filed by William T Bernard on behalf of Shirley Miller. suggestions in opposition due by 3/14/2002. (Kendall, Shelly) (Entered: 02/28/2002)
02/28/2002	<u>33</u>	Order entered by Judge Gary A. Fenner on 2/28/2002 granting motion to withdraw/substitute attorney (Related Doc # <u>32</u> ) (Mitchell, Lisa) (Entered: 02/28/2002)
03/15/2002		Remark – Original Document #35 (NOTICE OF FILING of Joint Motion for Entry of Consent Decree filed by Michael S Ketchmark on behalf of Shirley Miller has been deleted and will be refiled under correct document type and as a complete document (Kendall, Shelly) (Entered: 03/15/2002)
03/15/2002	<u>35</u>	Joint MOTION for order <i>for Entry of Consent Decree</i> filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 4/1/2002. (Attachments: # <u>1</u> Exhibit Consent Decree# <u>2</u> Exhibit A to Consent Decree – Release of Claims# <u>3</u> Exhibit B to Consent Decree – Stip of Dismissal# <u>4</u> Exhibit C to Consent Decree – Reporting Form# <u>5</u> Exhibit D to Consent Decree – Notice to Class# <u>6</u> Exhibit E to Consent Decree – Claim Form# <u>7</u> Exhibit F to Consent Form – Request for Exclusion Form)(Ketchmark, Michael) (Entered: 03/15/2002)
03/15/2002		Remark – Document #34 was deleted as it was filed improperly. Atty to refile document today. (Honeycutt, Cassandra) (Entered: 03/15/2002)
03/15/2002	<u>36</u>	Joint MOTION for leave to file <i>Second Amended Class Action Complaint</i> filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 4/1/2002. (Attachments: # <u>1</u> Exhibit Second Amended Class Action Complaint)(Ketchmark, Michael) (Entered: 03/15/2002)
03/15/2002	<u>37</u>	Order entered by Judge Gary A. Fenner on 3/15/2002 granting motion for leave to file (Related Doc # <u>36</u> ) (Mitchell, Lisa) (Entered: 03/15/2002)
03/15/2002	<u>38</u>	Minute Entry of hearing held on 3/15/2002 Settlement hearing to be held on 5/31/2002 at 09:00 AM at Courtroom 8A, Kansas City (GAF) (Diefenbach, Tracy) (Entered: 03/15/2002)
03/15/2002	<u>39</u>	Second AMENDED COMPLAINT against John Knox Village. Filed by Michael S Ketchmark on behalf of Shirley Miller. Service due by 7/15/2002, (Ketchmark, Michael) (Entered: 03/15/2002)
03/15/2002	<u>40</u>	ORDER FOR HEARING ON PROPOSED CLASS SETTLEMENT entered by Judge Gary A. Fenner. (Mitchell, Lisa) (Entered: 03/15/2002)
03/27/2002	<u>41</u>	ORDER entered by Judge Gary A. Fenner directing plaintiff's counsel to file status report regarding non-compliance with ECF. (Mitchell, Lisa) Modified on 3/27/2002 to replace incomplete document (Kendall, Shelly). (Entered: 03/27/2002)
04/09/2002	<u>42</u>	RESPONSE TO MOTION – <i>Request for Exclusion filed by Plaintiff Odetta Allen on behalf of Odetta Allen</i> filed. Reply Suggestions due by 4/24/2002. (Related document(s) <u>35</u> ) (Beard, Melanie) Modified on 4/9/2002 to correct pleading title(Beard, Melanie). (Entered: 04/09/2002)
04/11/2002	<u>43</u>	RESPONSE TO MOTION <i>Request for Exclusion</i> filed by John A. Wright Reply Suggestions due by 4/26/2002. (Related document(s) <u>35</u> ) (Beard, Melanie) Modified on 4/12/2002 to correct pleading title(Beard, Melanie). (Entered: 04/12/2002)
04/19/2002	<u>46</u>	RESPONSE TO MOTION <i>Request for Exclusion</i> filed by Robbie Jean Neely. Reply Suggestions due by 5/6/2002. (Related document(s) <u>35</u> ) (Beard, Melanie) Modified on 4/23/2002 to correct pleading text(Beard, Melanie). Modified on 4/23/2002 (Beard, Melanie). (Entered: 04/23/2002)
04/23/2002		Documents 44 and 45(Response to Motion #(35)) were deleted due to misfiling by the Clerk's office. Remark (Beard, Melanie) (Entered: 04/23/2002)

05/14/2002	<u>47</u>	MOTION for leave to file <i>out of time to opposition to proposed settlement</i> filed by Shirley Miller. suggestions in opposition due by 5/29/2002. (Kendall, Shelly) Terminated on 5/31/2002 (Diefenbach, Tracy). (Entered: 05/14/2002)
05/31/2002	<u>48</u>	Order entered by Judge Gary A. Fenner on 5/31/2002 granting motion for order (Related Doc # <u>35</u> ) (Mitchell, Lisa) (Entered: 05/31/2002)
05/31/2002	<u>49</u>	ADMINISTRATIVE ORDER NO. 1 entered by Judge Gary A. Fenner. (Mitchell, Lisa) Modified on 5/31/2002. Original Order replaced with correctly dated Order. (Mitchell, Lisa). (Entered: 05/31/2002)
05/31/2002	<u>50</u>	ORDER GRANTING FINAL APPROVAL OF CLASS SETTLEMENT entered by Judge Gary A. Fenner. (Mitchell, Lisa) (Entered: 05/31/2002)
05/31/2002	<u>51</u>	Minute Entry of settlement hearing Dated: 5/31/2002 (Diefenbach, Tracy) (Entered: 05/31/2002)
07/02/2002	<u>52</u>	ORDER entered by Judge Gary A. Fenner granting plaintiffs an extension of time to July 31, 2002, within which to make recommendation on settlement distributions. (Mitchell, Lisa) (Entered: 07/02/2002)
07/18/2002	<u>53</u>	NOTICE OF FILING <i>Report and Recommendation of Administrators Regarding Proposed Distribution of Class Settlement Proceeds</i> filed by Michael S Ketchmark on behalf of Shirley Miller. (Attachments: # <u>1</u> Exhibit 1)(Ketchmark, Michael) (Entered: 07/18/2002)
07/18/2002	<u>54</u>	MOTION to seal document <i>Exhibit 2 to Administrators' Report and Recommendation Regarding Proposed Distribution of Class Settlement Proceeds</i> filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 8/2/2002. (Ketchmark, Michael) (Entered: 07/18/2002)
07/18/2002	<u>55</u>	Order entered by Judge Gary A. Fenner on 7/18/2002 granting motion to seal document (Related Doc # <u>54</u> ) (Mitchell, Lisa) (Entered: 07/18/2002)
07/18/2002	<u>56</u>	EXHIBIT 2 to the Report and Recommendation of Administrators. (Related document(s) <u>53</u> ) (Diefenbach, Tracy) (Entered: 07/18/2002)
07/18/2002	<u>57</u>	ORDER ADOPTING REPORT AND RECOMMENDATION OF ADMINISTRATORS entered by Judge Gary A. Fenner. (Mitchell, Lisa) (Entered: 07/18/2002)
08/01/2002	<u>58</u>	LETTER <i>from the Jackson County Prosecutor</i> filed by John Knox Village. (Kendall, Shelly) (Entered: 08/01/2002)
08/06/2002	<u>59</u>	Notice of Lien on Claims, Counterclaims and Suits at Law (Kendall, Shelly) (Entered: 08/06/2002)
08/06/2002	<u>60</u>	MOTION to amend <i>Report and Recommendation of Administrators Regarding Proposed Distribution of Class Settlement Proceeds</i> filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 8/21/2002. (Attachments: # <u>1</u> Exhibit 1)(Ketchmark, Michael) (Entered: 08/06/2002)
08/06/2002	<u>61</u>	MOTION to seal document <i>Exhibit 2 to Motion to Amend Report and Recommendation of Administrators Regarding Proposed Distribution of Class Settlement Proceeds</i> filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 8/21/2002. (Ketchmark, Michael) Terminated on 8/12/2002 (Diefenbach, Tracy). (Entered: 08/06/2002)
08/06/2002	<u>62</u>	MOTION to seal document filed by Michael S Ketchmark on behalf of Shirley Miller. suggestions in opposition due by 8/21/2002. (Kendall, Shelly) Terminated on 8/12/2002 (Diefenbach, Tracy). (Entered: 08/08/2002)
08/12/2002	<u>63</u>	SEALED DOCUMENT <i>Exhibit 2</i> filed by all plaintiffs. (Related document(s) <u>61</u> ) (Diefenbach, Tracy) (Entered: 08/12/2002)
08/12/2002	<u>64</u>	Order entered by Judge Gary A. Fenner on 8/12/2002 granting motion to amend (Related Doc # <u>60</u> ) (Mitchell, Lisa) (Entered: 08/12/2002)
08/12/2002	<u>65</u>	ORDER entered by Judge Gary A. Fenner granting motion to seal exhibit (Doc. #61) (Mitchell, Lisa) (Entered: 08/12/2002)

01/15/2003	<u>66</u>	NOTICE of filing by John Knox Village <i>DEFENDANT'S ANNUAL REPORT TO THE COURT</i> (Attachments: # <u>1</u> Notice of Exhibit Attachment)(DeWald, Carole) Modified on 1/16/2003 to acknowledge receipt of exhibits in Clerk's office (Kendall, Shelly). (Entered: 01/15/2003)
01/15/2004	<u>67</u>	STATUS REPORT <i>Defendant's Annual Report To The Court</i> by John Knox Village. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10# <u>11</u> Exhibit 11# <u>12</u> Exhibit 12# <u>13</u> Exhibit 13# <u>14</u> Exhibit 14# <u>15</u> Exhibit 15# <u>16</u> Exhibit 16# <u>17</u> Exhibit 17# <u>18</u> Notice of Exhibit Attachment 18# <u>19</u> Notice of Exhibit Attachment 19# <u>20</u> Exhibit 20)(DeWald, Carole) Modified on 1/16/2004 to acknowledge receipt of exhibits in Clerk's office (Kendall, Shelly). (Entered: 01/15/2004)
01/14/2005	<u>68</u>	STATUS REPORT <i>Final Annual Report to the Court</i> by John Knox Village. (Attachments: # <u>1</u> )(Davis, Stanley) Modified on 1/19/2005 to acknowledge receipt of exhibits in Clerk's office (McDowell, Shelly). (Entered: 01/14/2005)