

CJRA-S, CLOSED

**U.S. District Court
Northern District of Mississippi (Eastern Division)
CIVIL DOCKET FOR CASE #: 1:98-cv-00102-WAP**

Equal Employment v. Cooper Tire
Assigned to: W. Allen Pepper
Demand: \$0
Case in other court: 02-60046
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 03/26/1998
Date Terminated: 09/28/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Charles E. Guerrier**
EEOC, BIRMINGHAM DISTRICT
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 731-2067
Email: charles.guerrier@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jerome C. Rose
EEOC, BIRMINGHAM DISTRICT
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 731-2067
TERMINATED: 09/28/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Cooper Tire & Rubber Company

represented by **Taylor B. Smith**
THE KULLMAN FIRM
P.O. Box 827
Columbus, MS 39703-0827
(662) 244-8824
Email: tbs@kullmanlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/26/1998	1	COMPLAINT for employment discrimination/Americans With Disabilities Act; jury demand (dlh) (Entered: 03/27/1998)
03/26/1998		**Set Jury Flag (dlh) (Entered: 03/27/1998)
03/27/1998		NOTICE OF ASSIGNMENT Chief Judge L. T. Senter Jr. and Magistrate Judge S. Allan Alexander (dlh)
06/26/1998		CLERK'S NOTICE of Incomplete Process/Default Re: defendant Cooper Tire (mhg)
07/17/1998	2	ANSWER to Complaint by Cooper Tire (Attorney Taylor B. Smith),; jury demand (jlj)
07/17/1998	3	NOTICE OF SERVICE of pre-discovery disclosure by Cooper Tire to Equal Employment (jlj)
07/27/1998	4	NOTICE OF SERVICE Pre-Discovery Disclosure Information by Equal Employment to Cooper Tire (rke)
07/29/1998		Case Management Conference set at 1:30 8/27/98 Location: Oxford before Magistrate Judge S. Allan Alexander (jlj)
08/05/1998	5	ORDER returning case to clerk for reassignment (signed by Senior Judge L. T. Senter Jr. on 7/31/98) Date of Entry: 8/5/98 (jlj) (Entered: 08/06/1998)
08/05/1998		CASE reassigned to Chief Judge Neal B. Biggers Jr. per order #5 (jlj) (Entered: 08/06/1998)
09/01/1998	6	CIVIL MINUTES for: CMC held 8/27/98; jury trial; standard track, ELT 4-5 days; trial set for 8/30/99 at 9:30 in Oxford before Judge Biggers, FPTC set 7/22/99 10:00 in Oxford before Mag Judge Alexander; case management plan and scheduling order entered; Court Reporter: None (dlh)
09/01/1998		Case Management Conference held on 8/27/98 (dlh)
09/01/1998	7	CASE MANAGEMENT PLAN AND SCHEDULING ORDER Case Assigned to CJRA Track: Standard Scheduling Deadlines: Final Pretrial Conference for 10:00 7/22/99 Oxford before Mag Judge Alexander; Discovery cutoff 4/15/99 ; Joining of parties,amending of pleadings by 10/8/98 ; Pla. Designation of Experts by 1/15/99 ; Dft Designation of Experts by 2/15/99 ; Motion Filing deadline on 4/30/99 ; Case Status Report due 5/14/99 . (signed by Magistrate Judge S. Allan Alexander on 8/31/98) (dlh)
09/02/1998		NOTICE of Jury Trial set at 9:30, 8/30/99; Location: Oxford, before Chief Judge Neal B. Biggers Jr. (nfs)
09/04/1998		NOTICE of Final Pretrial Conference reset at 2:30 7/19/99 Location: Oxford before Magistrate Judge S. Allan Alexander (jlj)
09/09/1998	8	FIRST SET OF REQUEST for Admissions by Cooper Tire to Equal Employment (jlj)

09/09/1998	9	NOTICE OF SERVICE of first set of interrogatories and requests for production by Cooper Tire to Equal Employment (jlj)
11/06/1998	10	NOTICE by Cooper Tire to take deposition of representative of EEOC 12/15/98 Tupelo (dlh)
11/13/1998	11	NOTICE by Cooper Tire to take deposition of John Dudas and Patrick Veit 12/10/98 Tupelo (dlh)
12/21/1998	12	NOTICE OF SERVICE of first set of interrogatories and requests for production of documents by Equal Employment to Cooper Tire (dlh)
12/28/1998	13	REQUEST for Admissions by Equal Employment to Cooper Tire (dlh)
01/04/1999	14	NOTICE OF SERVICE of response to request for permission to enter on land by Cooper Tire to Equal Employment (jlj)
01/08/1999	15	NOTICE OF SERVICE of request for permission to enter on land by Equal Employment to Cooper Tire (jlj) (Entered: 01/13/1999)
01/15/1999	16	RESPONSE TO REQUEST FOR ADMISSIONS by Cooper Tire re: [13-1] admission requested by Equal Employment (jlj)
01/15/1999	17	NOTICE OF SERVICE of response to first set of interrogatories and requests for production by Cooper Tire to Equal Employment (jlj)
01/28/1999	18	NOTICE by Cooper Tire to take deposition of John Dudas, Patrick Veit, and Mark Rakestraw 2/11/99 in Tupelo (jlj)
01/28/1999	19	NOTICE OF SERVICE of request for permission to enter on land by Equal Employment to Cooper Tire (jlj)
01/28/1999	20	DESIGNATION OF EXPERTS by plaintiff Equal Employment (jlj)
02/02/1999	21	VERIFIED MOTION by Cooper Tire to Strike [20-1] expert designate/designation by Equal Employment [21-1] motion referred to Magistrate Judge S. Allan Alexander (dlh)
02/05/1999	22	AMENDED NOTICE by Cooper Tire to take deposition of Johnny Lyle, Patrick Veit and Mark Rakestraw 2/11/99 Tupelo (dlh)
02/09/1999	23	NOTICE by Equal Employment to take deposition of Mark Hankins 2/11/99 Tupelo (dlh)
02/09/1999	24	NOTICE by Equal Employment to take deposition of representative of Cooper Tire 2/11/9 Tupelo (dlh)
02/09/1999	25	DESIGNATION OF EXPERTS by defendant Cooper Tire (dlh)
02/09/1999	26	NOTICE OF SERVICE of depositions by Equal Employment to Cooper Tire (dlh)
02/22/1999	27	OBJECTION by Equal Employment Re: [21-1] motion to Strike [20-1] expert designate/designation by Equal Employment by Cooper Tire (dlh)
02/22/1999	28	NOTICE by Cooper Tire to take deposition of Johnny Lyle, Patrick Veit and Mark Rakestraw 3/16/99 Tupelo (dlh)

02/22/1999	29	REPLY by Cooper Tire to response to [21-1] motion to Strike [20-1] expert designate/designation by Equal Employment by Cooper Tire (dlh)
03/05/1999	30	NOTICE by Equal Employment to take deposition of Dr. William L. Wood, Jr. 3/16/99 in Tupelo, MS (jlj)
03/05/1999	31	NOTICE by Equal Employment to take deposition of Dr. Eugene M. Murphey 3/16/99 in Tupelo, MS (jlj)
03/05/1999	32	NOTICE by Equal Employment to take rescheduled deposition of Cooper Tire & Rubber Company 3/16/99 in Tupelo, MS (jlj)
03/05/1999	33	NOTICE by Equal Employment to take rescheduled deposition of Mark Hankins 3/16/99 in Tupelo, MS (jlj)
03/05/1999	34	PROOF OF SERVICE of Subpoena by Cooper Tire Subpoena served on Mark Rakestraw 2/22/99 (jlj)
03/08/1999	35	MOTION by Equal Employment to Strike [25-1] expert designate/designation and alternatively to compel production of underlying data of experts' opinions by Cooper Tire [35-1] motion referred to Magistrate Judge S. Allan Alexander (mhg)
03/08/1999	36	NOTICE OF SERVICE Response to request for production by Cooper Tire to Equal Employment (mhg) (Entered: 03/09/1999)
03/12/1999	37	PROOF OF SERVICE of Subpoena by Equal Employment Subpoena served on Dr. Eugene M. Murphy 3/5/99 USM-285 (dlh) Modified on 03/15/1999 (Entered: 03/15/1999)
03/12/1999	38	PROOF OF SERVICE of Subpoena by Equal Employment Subpoena served on Dr. William L. Wood, Jr. 3/10/99 USM-285 (dlh) (Entered: 03/15/1999)
03/17/1999	39	VERIFIED RESPONSE by Cooper Tire in opposition to [35-1] motion to Strike [25-1] expert designate/designation and alternatively to compel production of underlying data of experts' opinions by Cooper Tire by Equal Employment (dlh)
03/26/1999	40	ORDER, Response to Motion reset to 3/26/99 for [35-1] motion to Strike [25-1] expert designate/designation and alternatively to compel production of underlying data of experts' opinions by Cooper Tire (signed by Magistrate Judge S. Allan Alexander on 3/24/99) Date of Entry: 3/26/99 (dlh)
04/09/1999	41	JOINT MOTION by Equal Employment, Cooper Tire to Continue trial 8/30/99 (dlh)
04/09/1999	41	JOINT MOTION by Equal Employment, Cooper Tire to Extend Case Management Order discovery, motions [41-1] joint motion referred to Magistrate Judge S. Allan Alexander (dlh)
04/12/1999	42	SUPPLEMENTAL RESPONSE by Cooper Tire to [39-1] opposition response by Cooper Tire (jlj)
04/27/1999	44	ORDER granting [41-1] joint motion to Continue trial 8/30/99 until further order of the Court (signed by Chief Judge Neal B. Biggers Jr. on 4/26/99) Date of Entry: 4/27/99 (jlj) Modified on 04/28/1999 (Entered: 04/28/1999)

04/28/1999	43	ORDER granting [41-1] joint motion to Extend Case Management Order discovery, motions Discovery cutoff to 6/18/99 ; Motion Filing to 6/30/99 ; Case Status Report due 7/15/99; continuing Final Pretrial Conference until further order of the court. (signed by Magistrate Judge S. Allan Alexander on 4/27/99) Date of Entry: 4/28/99 (jlj)
05/10/1999	45	NOTICE OF RECEIPT by Equal Employment OF ORIGINAL DEPOSITION of Mark Hankins (jlj)
05/10/1999	46	NOTICE OF RECEIPT by Equal Employment OF ORIGINAL DEPOSITION of Dr. William Wood, Jr. (jlj)
05/10/1999	47	NOTICE OF RECEIPT by Equal Employment OF ORIGINAL DEPOSITION of Dr. Eugene Murphey (jlj)
06/17/1999	48	SUPPLEMENTAL DESIGNATION OF EXPERTS by defendant Cooper Tire (dlh)
06/29/1999	49	SUPPLEMENTAL MOTION by Cooper Tire to Strike [20-1] expert designate/designation by Equal Employment referring to: [21-1] motion to Strike [20-1] expert designate/designation by Equal Employment by Cooper Tire [49-1] supplemental amended motion referred to Magistrate Judge S. Allan Alexander (dlh)
06/29/1999	50	MOTION by Cooper Tire for Summary Judgment (with affidavits of Jessie Meeks and Mark Hankins) (motion and exhibits placed in expandable folder) (dlh)
07/06/1999	51	MOTION by Equal Employment to Extend Time to respond to motion for summary judgment (jlj)
07/06/1999	52	MOTION by Equal Employment to Extend Time to respond to supplemental and amended motion to strike expert designation of plaintiff [52-1] motion referred to Magistrate Judge S. Allan Alexander (jlj)
07/08/1999	53	ORDER granting [49-1] supplemental amended motion to Strike [20-1] expert designate/designation by Equal Employment denying [35-1] motion to Strike [25-1] expert designate/designation and alternatively to compel production of underlying data of experts' opinions by Cooper Tire, granting [21-1] motion to Strike [20-1] expert designate/designation by Equal Employment (signed by Magistrate Judge S. Allan Alexander on 7/6/99) Date of Entry: 7/8/99 (dlh)
07/08/1999	54	ORDER denying [52-1] motion to Extend Time to respond to supplemental and amended motion to strike expert designation of plaintiff (signed by Magistrate Judge S. Allan Alexander on 7/7/99) Date of Entry: 7/8/99 (dlh)
07/20/1999	55	MOTION by Equal Employment for Reconsideration of [53-1] order [55-1] motion referred to Magistrate Judge S. Allan Alexander (jlj)
07/21/1999	56	ORDER granting [51-1] motion to Extend Time to respond to motion for summary judgment, Response to Motion reset to 7/26/99 for [50-1] motion for Summary Judgment (signed by Chief Judge Neal B. Biggers Jr. on 7/19/99) Date of Entry: 7/21/99 (dlh)

07/23/1999	57	RESPONSE by Cooper Tire in opposition to [55-1] motion for Reconsideration of [53-1] order by Equal Employment (jlj)
07/23/1999	58	MOTION by Equal Employment to Extend Time to respond to motion for summary judgment (jlj)
07/29/1999	59	ORDER granting [58-1] motion to Extend Time to respond to motion for summary judgment, Response to Motion reset to 8/17/99 for [50-1] motion for Summary Judgment (signed by Chief Judge Neal B. Biggers Jr. on 7/28/99) Date of Entry: 7/29/99 (jlj) (Entered: 07/30/1999)
08/03/1999	60	MOTION by Equal Employment to Hold in Abeyance [53-1] order [60-1] motion referred to Magistrate Judge S. Allan Alexander (dlh)
08/03/1999	61	RESPONSE by Cooper Tire in opposition to [60-1] motion to Hold in Abeyance [53-1] order by Equal Employment (dlh)
08/03/1999	62	REPLY by Equal Employment to response to [55-1] motion for Reconsideration of [53-1] order by Equal Employment (dlh)
08/11/1999	63	ORDER denying [60-1] motion to Hold in Abeyance [53-1] order, denying [55-1] motion for Reconsideration of [53-1] order (signed by Magistrate Judge S. Allan Alexander on 8/6/99) Date of Entry: 8/11/99 (jlj)
08/17/1999	64	RESPONSE by Equal Employment to [50-1] motion for Summary Judgment by Cooper Tire (jlj)
08/23/1999	65	APPEAL of Magistrate Decision to District Court by Equal Employment re: Documents #53 and #63 (jlj)
08/24/1999	66	ORDER Response to Motion reset to 9/2/99 for [50-1] motion for Summary Judgment (signed by Chief Judge Neal B. Biggers Jr. on 8/20/99) Date of Entry: 8/24/99 (dlh)
08/26/1999	67	RESPONSE by Cooper Tire in opposition to [65-1] Magistrate appeal by Equal Employment (dlh)
10/08/1999	68	ORDER denying [65-1] Magistrate appeal (signed by Chief Judge Neal B. Biggers on 10/6/99) Date of Entry: 10/8/99 (jlj)
10/14/1999	69	ORDER transferring cause to Judge W. Allen Pepper (signed by Chief Judge Neal B. Biggers on 10/12/99) Date of Entry: 10/14/99 (jlj)
10/14/1999		CASE reassigned to Judge W. A. Pepper Jr. (jlj)
03/15/2000		NOTICE of MVD/Jury Trial set at 9:40 9/26/00 Location: Greenville before Judge W. A. Pepper Jr. (jlj)
03/17/2000	70	MOTION by Cooper Tire to Continue trial (jlj)
03/22/2000		NOTICE of Final Pretrial Conference reset at 10:00 8/7/00 Location: Oxford before Magistrate Judge S. Allan Alexander (dlh)
03/22/2000	71	ORDER granting [70-1] motion to Continue trial, reset Jury Trial for 12:40 3/5/01 Aberdeen before Judge Pepper (signed by Judge W. A. Pepper Jr. on 3/21/00) Date of Entry: 3/22/00 (dlh)

03/23/2000		NOTICE of MVD/Jury Trial set at 12:40 3/5/01 Location: Aberdeen before Judge W. A. Pepper Jr. (dlh)
04/20/2000		NOTICE of Final Pretrial Conference reset at 11:00 1/22/01 Location: Oxford before Magistrate Judge S. Allan Alexander (jlj)
05/22/2000		NOTICE of MVD/Jury Trial set at 9:40 3/5/01 Location: Aberdeen before Judge W. A. Pepper Jr. (jlj)
10/05/2000		NOTICE of MVD/Jury Trial set at 9:40 10/1/01 Location: oxford before Judge W. A. Pepper Jr. (jlj)
10/11/2000		NOTICE of Final Pretrial Conference reset at 10:00 8/21/01 Location: Oxford before Magistrate Judge S. Allan Alexander (dlh)
10/12/2000		NOTICE of MVD/Jury Trial set at 9:40 11/5/01 Location: Aberdeen before Judge W. A. Pepper Jr. (dlh)
10/24/2000		NOTICE of Final Pretrial Conference reset at 9:00 9/20/01 Location: Oxford before Magistrate Judge S. Allan Alexander (dlh)
11/02/2000		NOTICE of Final Pretrial Conference reset at 10:00 9/24/01 Location: Oxford before Magistrate Judge S. Allan Alexander (jla)
09/24/2001	76	NOTICE of Attorney Appearance and Substitution of Counsel for Equal Employment by Charles E. Guerrier (jla) (Entered: 09/28/2001)
09/25/2001	72	CIVIL MINUTES for: FPTC held 9/24/01 in Oxford before Mag. Judge Alexander; jury trial; ELT 4-5 days; defendants motion for summary judgment is outstanding; pretrial order submitted; to be forwarded to Judge Pepper (jla)
09/25/2001		Final Pretrial Conference held (jla)
09/27/2001	73	PRETRIAL ORDER filed; jury trial; ELT 4 days (signed by Judge W. A. Pepper Jr. on 9/25/01) (jla)
09/27/2001	74	MEMORANDUM OPINION (signed by Judge W. A. Pepper Jr. on 9/27/01) (jla)
09/27/2001	75	ORDER granting [50-1] motion for Summary Judgment; closing case (signed by Judge W. A. Pepper Jr. on 9/27/01) COB # 53 pg. 281 Date of Entry: 9/27/01 (jla)
09/28/2001		Case closed (jla)
10/12/2001	77	MOTION by Equal Employment to Alter or Amend Judgment (dlh)
10/15/2001	78	RESPONSE by Cooper Tire in opposition to [77-1] motion to Alter or Amend Judgment by Equal Employment (jla)
10/24/2001	79	REPLY by Equal Employment to response to [77-1] motion to Alter or Amend Judgment by Equal Employment (dlh)
11/16/2001	80	ORDER denying [77-1] motion to Alter or Amend Judgment (signed by Judge W. A. Pepper Jr. on 11/15/01) COB # 53 pg. 354 Date of Entry: 11/16/01 (jla)
01/10/2002	81	NOTICE OF APPEAL of [80-1] order, [75-1] order by Equal Employment . Appeal record due on 1/25/02 (jla)

01/10/2002		Notice of Appeal and certified copy of docket to USCA: [81-1] appeal by Equal Employment (jla)
01/11/2002		Certified and transmitted Record on Appeal to U.S. Court of Appeals: [81-1] appeal by Equal Employment (4 volumes record, 1 container exhibit, 1 binder) (jla)
02/07/2002		NOTICE of Docketing ROA from USCA Re: [81-1] appeal by Equal Employment USCA Number: 02-60046 (jla)
02/22/2002	82	JUDGMENT OF USCA (certified copy) pursuant to appellant's motion this appeal is dismissed; Re: [81-1] appeal by Equal Employment (dlh)
02/22/2002		Record on Appeal returned from U.S. Court of Appeals: [81-1] appeal (5 volumes record, 1 envelope exhibits) (dlh) Modified on 02/22/2002

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