

APPEAL

**U.S. District Court
Western District of North Carolina (Charlotte)
CIVIL DOCKET FOR CASE #: 3:05-cv-00269-GCM**

Equal Employment Opportunity Commission v. E&H Electrical
Service, Inc.

Assigned to: Senior Judge Graham Mullen

Case in other court: 4th Circuit, 07-01467

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/09/2005

Date Terminated: 03/20/2007

Jury Demand: Both

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Eric S. Dreiband**
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V.

Defendant

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Date Filed	#	Docket Text
06/09/2005	<u>1</u>	COMPLAINT against E&H Electrical Service, Inc. , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(Basile, Antonietta) (Entered: 06/13/2005)
06/09/2005	<u>2</u>	NOTICE OF LAWSUIT AND REQUEST FOR WAIVER of Service of Summons sent to Tim S. Ellison, Registered Agent for E&H Electrical Service, Inc. by Equal Employment Opportunity Commission. (Basile, Antonietta) (Entered: 06/13/2005)
07/01/2005	<u>3</u>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. E&H Electrical Service, Inc. waiver sent on 6/9/2005, answer due 8/8/2005. (Barber, Suzanne) (Entered: 07/01/2005)
08/03/2005	<u>4</u>	ANSWER to Complaint with Jury Demand by E&H Electrical Service, Inc..(Wallace, Betsy) (Entered: 08/09/2005)

09/01/2005	7	CERTIFICATION of initial attorney conference and discovery plan by Equal Employment Opportunity Commission, E&H Electrical Service, Inc..(Cochran, Candace) (Entered: 09/06/2005)
09/14/2005	8	SCHEDULING ORDER: Discovery due by 5/30/2006. Motions due by 6/30/2006. Jury Trial set for 12/4/2006 10:00 AM in Courtroom #3, 401 W. Trade St., Charlotte, NC 28202 before Graham Mullen.. Signed by Judge Graham Mullen on 9/14/05. (Wallace, Betsy) (Entered: 09/14/2005)
12/12/2005	9	Joint MOTION for Extension of Scheduling Deadlines <i>for Disclosure of Expert Witness(es)</i> by Equal Employment Opportunity Commission, E&H Electrical Service, Inc.. Responses due by 12/27/2005 (Attachments: # 1 Text of Proposed Order)(Ryerse, Mary) (Entered: 12/12/2005)
12/12/2005		Proposed document submitted to Judge Graham Mullen. (Ryerse, Mary) (Entered: 12/12/2005)
12/19/2005	10	ORDER granting 9 Motion for Extension of Scheduling Deadlines . Signed by Judge Graham Mullen on 12/19/05. (Huntley, Cynthia) (Entered: 12/20/2005)
05/05/2006	11	Joint MOTION for Protective Order by Equal Employment Opportunity Commission, E&H Electrical Service, Inc.. Responses due by 5/22/2006 (Attachments: # 1 Proposed Order Consent Protective Order)(Ryerse, Mary) (Entered: 05/05/2006)
05/08/2006	12	NOTICE by Equal Employment Opportunity Commission re 11 Joint MOTION for Protective Order (Attachments: # 1 Proposed Order Amended Consent Protective Order)(Ryerse, Mary) (Entered: 05/08/2006)
05/10/2006	13	ORDER granting 11 Motion for Protective Order . Signed by Judge Graham Mullen on 5/10/06. (MacEwan, Cathy) (Entered: 05/11/2006)
05/17/2006	14	Joint MOTION for Extension of Scheduling Deadlines by E&H Electrical Service, Inc.. (Adams, G.) (Entered: 05/17/2006)
05/17/2006	15	ORDER granting 14 Motion for Extension of Scheduling Deadlines . Signed by Judge Graham Mullen on 5/17/06. (Huntley, Cynthia) (Entered: 05/18/2006)
05/17/2006		Set/Reset Deadlines: Discovery due by 7/1/2006. Motions due by 8/1/2006. (Huntley, Cynthia) (Entered: 05/18/2006)
05/23/2006	16	REPORT of Mediation - The parties have reached an impasse.(Huntley, Cynthia) (Entered: 05/24/2006)
06/28/2006	17	Joint MOTION for Extension of Scheduling Deadlines by E&H Electrical Service, Inc.. (Adams, G.) (Entered: 06/28/2006)
06/30/2006	18	ORDER granting 17 Motion for Extension of Scheduling Deadlines . Signed by Judge Graham Mullen on 6/30/06. (Huntley, Cynthia) (Entered: 07/03/2006)
06/30/2006		Set Deadlines/Hearings: Discovery due by 9/1/2006. Motions due by 10/1/2006. Jury Trial set for 3/5/2007 10:00 AM in Courtroom #3, 401 W. Trade St., Charlotte, NC 28202 before Graham Mullen. (Huntley, Cynthia) (Entered: 07/03/2006)
08/30/2006	19	MOTION for Extension of Scheduling Deadlines by E&H Electrical Service, Inc..Responses due by 9/18/2006 (Adams, G.) (Entered: 08/30/2006)

09/01/2006	20	ORDER granting 19 MOTION for Extension of Scheduling Deadlines. Discovery due by 10/16/2006. Motions due by 11/16/2006. Signed by Judge Graham Mullen on 9/1/06. (com) (Entered: 09/01/2006)
11/16/2006	21	MOTION for Summary Judgment by E&H Electrical Service, Inc..Responses due by 12/4/2006 (Adams, G.) (Entered: 11/16/2006)
11/16/2006	22	MEMORANDUM in Support re 21 MOTION for Summary Judgment filed by E&H Electrical Service, Inc.. (Attachments: # 1 Appendix Locklear Deposition Excerpts# 2 Appendix Locklear Deposition Exhibits# 3 Appendix Ellison Depo Excerpts and Exhibits# 4 Appendix Braswell Deposition Excerpts# 5 Appendix Miller Deposition Excerpts# 6 Appendix Helms Deposition Excerpts# 7 Appendix Wilson Deposition Excerpts# 8 Appendix Heafner Deposition Excerpts# 9 Affidavit Tim Ellison Affidavit# 10 Affidavit TIm Harbin Affidavit# 11 Affidavit Gary McDowell Affidavit# 12 Affidavit Robert McDowell Affidavit# 13 Exhibit Memorandum Exhibit A# 14 Exhibit Memorandum Exhibit B# 15 Appendix Unpublished Decisions Pt. 1# 16 Appendix Unpublished Decisions Pt. 2)(Adams, G.) (Entered: 11/16/2006)
12/04/2006	23	MEMORANDUM in Opposition re 21 MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # 1 Appendix # 2 Exhibit 1 - Locklear Deposition Excerpts# 3 Exhibit 2 - Locklear Dep Exhibit 6# 4 Exhibit 3 - Locklear Dep Exhibit 10# 5 Exhibit 4- Locklear Affidavit# 6 Exhibit 5 - Ellison Deposition excerpts# 7 Exhibit 6 - Ellison Dep Exhibit 4# 8 Exhibit 7 - Ellison Dep Exhibit 12# 9 Exhibit 8 - Braswell Deposition excerpts# 10 Exhibit 9 - Helms Deposition excerpts# 11 Exhibit 10 - Wilson Deposition excerpts# 12 Exhibit 11 - Miller Deposition excerpts# 13 Exhibit 12 - Unreported cases# 14 Exhibit 13 - Unreported cases 2)(Ryerse, Mary) (Entered: 12/04/2006)
12/05/2006	24	Unredacted Documents re: 23 Memorandum in Opposition to Motion; Exhibit 2 and (Attachments: (1) Exhibit 3)(com) (Entered: 12/07/2006)
12/15/2006	25	REPLY to Response to Motion re 21 MOTION for Summary Judgment filed by E&H Electrical Service, Inc.. (Attachments: # 1 Appendix Luke Heafner Deposition Excerpt)(Adams, G.) (Entered: 12/15/2006)
12/22/2006	26	Surreply by Equal Employment Opportunity Commission as to 21 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1 - Locklear Deposition excerpts)(Ryerse, Mary) (Entered: 12/22/2006)
12/27/2006	27	MOTION for Leave to File A <i>Surreply Memorandum to Defendant's Reply Memorandum</i> by Equal Employment Opportunity Commission.Responses due by 1/16/2007 (Attachments: # 1 Attachment A: Proposed Surreply Memo with Exhibit# 2 Proposed Order)(Ryerse, Mary) (Entered: 12/27/2006)
01/05/2007	28	ORDER granting 27 Motion for Leave to File a memorandum in response to Defendant's Reply Memorandum in Support of Defendant's Motion for Summary Judgment. Signed by Judge Graham Mullen on 1/5/07. (chh) (Entered: 01/05/2007)
01/23/2007	29	ORDER Jury Trial reset for 5/7/2007 10:00 AM in Courtroom #3, 401 W. Trade St., Charlotte, NC 28202 before Graham Mullen. Signed by Judge Graham Mullen on 1/23/07. (com) (Entered: 01/23/2007)
03/19/2007	30	ORDER granting 21 Motion for Summary Judgment. Signed by Judge Graham Mullen on 3/19/07. (com) (Entered: 03/19/2007)

03/20/2007	31	CLERK'S JUDGMENT is hereby entered in accordance with the Court's Order dated 3/19/07 (com) (Entered: 03/20/2007)
05/18/2007	32	NOTICE OF APPEAL as to 31 Clerk's Judgment, 30 Order on Motion for Summary Judgment by Equal Employment Opportunity Commission. (Ryerse, Mary) (Entered: 05/18/2007)
05/18/2007	33	Transmission of Notice of Appeal to US Court of Appeals re 32 Notice of Appeal (tmg) (Entered: 05/18/2007)
05/24/2007	34	USCA Case Number 07-1467 for 32 Notice of Appeal USCA Case Manager: Richard H. Sewell. (smj) (Entered: 05/24/2007)
10/03/2007	35	MANDATE of USCA as to 32 Notice of Appeal (Attachments: # 1 Order)(mga) (Entered: 10/12/2007)

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