

18AG, CASREF, CLOSED, MEDIATION, TRIAL

**U.S. District Court
North Carolina Middle District (Durham)
CIVIL DOCKET FOR CASE #: 1:06-cv-00744-JAB-RAE**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.
HENREDON FURNITURE INDUSTRIES, INC.
Assigned to: CHIEF JUDGE JAMES A. BEATY, JR
Referred to: MAG/JUDGE RUSSELL A. ELIASON
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 09/06/2006
Date Terminated: 01/22/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **ZOE GABRIELE MAHOOD**
EQUAL EMPLOYMENT
OPPORTUNITY COMM.
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ATTORNEY TO BE NOTICED

V.

Defendant

**HENREDON FURNITURE
INDUSTRIES, INC.**

represented by **GREGORY P. MCGUIRE**
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Date Filed	#	Docket Text
09/06/2006	<u>1</u>	COMPLAINT against HENREDON FURNITURE INDUSTRIES, INC., filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(MAHOOD, ZOE) (Entered: 09/06/2006)
09/06/2006	<u>2</u>	CIVIL COVER SHEET, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(MAHOOD, ZOE) (Entered: 09/06/2006)
09/06/2006		CASE REFERRED to Mediation pursuant to Local Rule 83.10b of the Rules of Practice and Procedure of this Court. Please go to our website form directory for a list of mediators which must be served on all parties. (McClain, Abby) (Entered: 09/08/2006)
10/02/2006	<u>3</u>	WAIVER OF SERVICE Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. HENREDON FURNITURE INDUSTRIES, INC. waiver sent on 9/6/2006, answer due 11/6/2006. (MAHOOD, ZOE) (Entered: 10/02/2006)
11/06/2006	<u>4</u>	ANSWER to Complaint by HENREDON FURNITURE INDUSTRIES, INC. (MCGUIRE, GREGORY) (Entered: 11/06/2006)
12/04/2006	<u>5</u>	NOTICE of Appearance by attorney SARAH H. ROANE on behalf of Defendant HENREDON FURNITURE INDUSTRIES, INC. (ROANE, SARAH) (Entered: 12/04/2006)
12/18/2006	<u>6</u>	NOTICE of Initial Pretrial Conference Hearing:Initial Pretrial Conference Hearing set for 1/18/2007 09:30 AM in Winston-Salem Courtroom #3 before MAG/JUDGE RUSSELL A. ELIASON. (Williamson, Wanda) (Entered: 12/18/2006)
01/11/2007	<u>7</u>	Rule 26(f) Report (Joint) filed by all parties by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(MAHOOD, ZOE) (Entered: 01/11/2007)
01/12/2007		***Motions Referred: <u>7</u> Rule 26(f) Report (Joint) filed by all parties to Judge RUSSELL A. ELIASON - (Williamson, Wanda) (Entered: 01/12/2007)

01/16/2007	8	RULE 26F ORDER (JOINT) signed by Mag/Judge RUSSELL A. ELIASON on 1/16/07 Plaintiffs Amended Pleadings due by 3/1/2007., Defendants Amended Pleadings due by 4/1/2007., Discovery due by 8/31/2007., Joinder of Parties for Plaintiff due by 3/1/2007., Joinder of Parties for Defendant due by 4/1/2007. Parties do not consent to refer case to a Mag/Judge. ETT: 6-8d. A jury trial has been demanded.(Wilson, JoAnne) (Entered: 01/16/2007)
02/06/2007		MEDIATION SCHEDULING ORDER; Mediation due by 5/31/2007. (Gammon, Cheryl) (Entered: 02/06/2007)
02/07/2007	9	ORDER Appointing FRANK W. BULLOCK, JR., as the mediator pursuant to LR 83.9d(a). Signed by John S. Brubaker, Clerk of Court. (Gammon, Cheryl) (Entered: 02/07/2007)
02/13/2007	10	MOTION for Extension of Time <i>to Respond to Plaintiff's First Set of Interrogatories and First Request for Production of Documents</i> by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 2/27/2007 (ROANE, SARAH) (Entered: 02/13/2007)
02/14/2007		***Motions Referred: 10 MOTION for Extension of Time <i>to Respond to Plaintiff's First Set of Interrogatories and First Request for Production of Documents</i> to Judge RUSSELL A. ELIASON - (Winchester, Robin) (Entered: 02/14/2007)
02/14/2007		Telephone Notice on 2/14/2007 from Atty. Sarah Roane informing the Clerk's Office that Plaintiff's Counsel now consents to the full 30 days re: pldg. 10 (Winchester, Robin) (Entered: 02/14/2007)
02/14/2007	11	ORDER granting 10 Motion for Extension of Time, and Defendant has up to and including March 16, 2007 to respond to Plaintiff's First Set of Interrogatories and First Request for Production of Documents signed by Judge RUSSELL A. ELIASON on 2/14/07. (Wilson, JoAnne) (Entered: 02/14/2007)
02/20/2007	12	NOTICE of Hearing:.,Jury Trial set for 1/7/2008 09:30 AM. Trial Briefs, etc. due 12/17/2007. (Winchester, Robin) (Entered: 02/20/2007)
04/23/2007	13	JOINT MOTION <i>for Protective Order</i> by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 5/17/2007 (Attachments: # 1 Text of Proposed Order)(MCGUIRE, GREGORY) (Entered: 04/23/2007)
04/24/2007		***Motions Referred: 13 JOINT MOTION <i>for Protective Order</i> to Judge RUSSELL A. ELIASON - (Winchester, Robin) (Entered: 04/24/2007)
05/02/2007	14	ORDER granting 13 Joint Motion Protective Order signed by Mag/Judge RUSSELL A. ELIASON on 5/2/07. (Wilson, JoAnne) (Entered: 05/02/2007)
05/02/2007	15	SUPPLEMENTAL PROTECTIVE ORDER signed by Mag/Judge RUSSELL A. ELIASON on 5/2/07. (Wilson, JoAnne) (Entered: 05/02/2007)
08/30/2007	16	Joint MOTION for Extension of Time <i>in which to Conduct Mediation and To File Dispositive Motions</i> by HENREDON FURNITURE INDUSTRIES, INC. (MCGUIRE, GREGORY) (Entered: 08/30/2007)
09/05/2007	17	NOTICE of Intent to File Dispositive Motions by Defendant HENREDON FURNITURE INDUSTRIES, INC. (MCGUIRE, GREGORY) (Entered: 09/05/2007)

		09/05/2007)
09/10/2007		***Motions Referred: 16 Joint MOTION for Extension of Time <i>in which to Conduct Mediation and To File Dispositive Motions</i> to Judge RUSSELL A. ELIASON - (Winchester, Robin) (Entered: 09/10/2007)
09/12/2007	18	ORDER denying 16 Motion for Extension of Time, but without prejudice to the parties submitting a motion and order setting out a schedule which has all dispositive motions and briefs, including responses and replies, filed on or before November 12, 2007, so that the motions will be ready for ruling by November 12, 2007, and therefore, the Court will have sufficient time to enter a ruling prior to the January 7, 2008 trial date signed by Mag/Judge RUSSELL A. ELIASON on 9/12/07. (Wilson, JoAnne) (Entered: 09/12/2007)
09/12/2007	19	Joint MOTION for Extension of Time <i>in Which to Conduct Mediation and to File Dispositive Motions (Revised)</i> by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 10/5/2007 (MCGUIRE, GREGORY) (Entered: 09/12/2007)
09/13/2007		***Motions Referred: 19 Joint MOTION for Extension of Time <i>in Which to Conduct Mediation and to File Dispositive Motions (Revised)</i> to Judge RUSSELL A. ELIASON - (Winchester, Robin) (Entered: 09/13/2007)
09/13/2007	20	ORDER granting 19 Motion for Extension of Time signed by Mag/Judge RUSSELL A. ELIASON on 9/13/07 Dispositive Motions due by 10/8/2007, Mediation due by 10/24/2007, Replies due by 11/12/2007, Responses due by 11/7/2007 (Wilson, JoAnne) (Entered: 09/13/2007)
09/28/2007	21	MOTION for Leave to File Excess Pages by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 10/22/2007 (MCGUIRE, GREGORY) (Entered: 09/28/2007)
10/02/2007		***Motions Referred: 21 MOTION for Leave to File Excess Pages to Judge RUSSELL A. ELIASON - (Winchester, Robin) (Entered: 10/02/2007)
10/08/2007	22	MOTION for Summary Judgment by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 11/13/2007 (MCGUIRE, GREGORY) Modified on 10/9/2007 to remove punctuation (Lee, Lisa). (Entered: 10/08/2007)
10/08/2007	23	MEMORANDUM filed by Defendant HENREDON FURNITURE INDUSTRIES, INC. re 22 MOTION for Summary Judgment filed by HENREDON FURNITURE INDUSTRIES, INC. (Attachments: # 1 Deposition of Agamed# 2 Deposition of Alford# 3 Deposition of Cornelison# 4 Deposition of Goree# 5 Deposition of Howell# 6 Deposition of Killon# 7 Deposition of Little# 8 Deposition of Ragin# 9 Deposition of Rhymer# 10 Deposition of Wittenberg (1)# 11 Deposition of Wittenberg (2)# 12 Plaintiff's Exhibits (1)# 13 Plaintiff's Exhibits (2)# 14 Plaintiff's Exhibits (3)# 15 Plaintiff's Exhibits (4)# 16 Plaintiff's Exhibits (5)# 17 Plaintiff's Exhibits (6)# 18 Plaintiff's Exhibits (7)# 19 Plaintiff's Exhibits (8)# 20 Defendants' Exhibits (1)# 21 Defendants' Exhibits (2)# 22 Affidavit of Wittenberg)(MCGUIRE, GREGORY) Modified on 10/9/2007 to remove punctuation (Lee, Lisa). (Entered: 10/08/2007)
10/25/2007		Case Reassigned to Judge JAMES A. BEATY, JR. Judge WILLIAM L. OSTEEN no longer assigned to the case. (Powell, Gloria) (Entered: 10/25/2007)

10/25/2007	24	Consent MOTION for Leave to File Excess Pages by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Responses due by 11/19/2007 (Attachments: # 1 Text of Proposed Order) (MAHOOD, ZOE) Modified on 10/26/2007 to correct spacing (Lee, Lisa). (Entered: 10/25/2007)
10/26/2007		***Motions Submitted: 21 MOTION for Leave to File Excess Pages, 24 Consent MOTION for Leave to File Excess Pages to Judge JAMES A. BEATY JR. (Kemp, Donita) (Entered: 10/26/2007)
11/06/2007	25	NOTICE of Trial Calendar Jury Trial set for 1/7/2008 09:30 AM in Winston-Salem Courtroom #1 before CHIEF JUDGE JAMES A. BEATY JR. (Simmonds, Lisa) (Entered: 11/06/2007)
11/07/2007	26	MEMORANDUM OF LAW IN OPPOSITION re 22 MOTION for Summary Judgment filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Replies due by 11/12/2007. (Attachments: # 1 Exhibit Deposition of Rickie Wilson - part 1, # 2 Exhibit Deposition of Rickie Wilson - part 2, # 3 Affidavit Rickie Wilson Affidavit, # 4 Exhibit Deposition of Freddie Ragin, # 5 Affidavit Freddie Ragin Affidavit, # 6 Exhibit Deposition of Lester Little, # 7 Affidavit Lester Little Affidavit, # 8 Exhibit Deposition of Floyd Goree, # 9 Affidavit Floyd Goree Affidavit, # 10 Exhibit Deposition of David Howell, # 11 Affidavit David Howell Affidavit, # 12 Exhibit Deposition of Lonnell Alford, # 13 Affidavit Preston McDuffie Affidavit, # 14 Exhibit Deposition of Ken Sessions, # 15 Exhibit Deposition of Randy Rickard, # 16 Exhibit Deposition of Danny East, # 17 Exhibit Deposition of Richard Rhymer, # 18 Exhibit Deposition of Tiki Wittenberg, # 19 Exhibit Deposition of Joe Harrill, # 20 Exhibit Deposition of Jack Skinner, # 21 Exhibit Deposition of Jason Agamedí, # 22 Exhibit Deposition of Jim Cornelison, # 23 Exhibit Deposition of Rocky Killon, # 24 Exhibit Deposition of Barbara McKinney, # 25 Exhibit Interrogatory Responses, # 26 Exhibit Admissions, # 27 Exhibit Plaintiff Deposition Exhibits, # 28 Exhibit EEO-1s, # 29 Exhibit Foster Wheeler, # 30 Exhibit Sackey, # 31 Exhibit KCD, # 32 Exhibit Crowder, # 33 Exhibit Homesley, # 34 Exhibit Appendix Table of Contents)(MAHOOD, ZOE) Modified on 11/8/2007 to accurately reflect title of document (Wilson, JoAnne). (Entered: 11/07/2007)
11/08/2007	27	MOTION to Strike 26 Response in Opposition to Motion, by HENREDON FURNITURE INDUSTRIES, INC. Responses due by 12/3/2007 (MCGUIRE, GREGORY) (Entered: 11/08/2007)
11/09/2007	28	MOTION for Leave to File <i>Revised Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment</i> by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Responses due by 12/3/2007 (Attachments: # 1 Exhibit Revised Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment, # 2 Text of Proposed Order)(MAHOOD, ZOE) (Entered: 11/09/2007)
11/09/2007	29	RESPONSE in Opposition re 27 MOTION to Strike 26 Response in Opposition to Motion, 28 MOTION for Leave to File <i>Revised Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment (Response in Support of Motion to File Revised Memorandum in Opposition to Defendant's Motion for Summary Judgment)</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Replies due by 11/30/2007. (Attachments: # 1 Affidavit

		Declaration of Zoe G. Mahood)(MAHOOD, ZOE) (Entered: 11/09/2007)
11/13/2007	30	REPLY, filed by Defendant HENREDON FURNITURE INDUSTRIES, INC., to Response to 22 MOTION for Summary Judgment filed by HENREDON FURNITURE INDUSTRIES, INC. (Attachments: # 1 Exhibit Response to Interrogatory, # 2 Exhibit Ragin Deposition Excerpt, # 3 Exhibit Howell Deposition Excerpt)(MCGUIRE, GREGORY) (Entered: 11/13/2007)
11/13/2007		***Motions Submitted: 28 MOTION for Leave to File <i>Revised Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment</i> to Judge CHIEF JUDGE JAMES A. BEATY, JR. (Kemp, Donita) (Entered: 11/13/2007)
11/14/2007	31	ORDER signed by CHIEF JUDGE JAMES A. BEATY, JR on 11/14/07 that Defendant's Motion to Strike Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment be DENIED and Plaintiff be ALLOWED to file its Revised Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment in substitution for the Memorandum of Law filed on November 7, 2007. (Wilson, JoAnne) (Entered: 11/14/2007)
11/14/2007	32	MEMORANDUM OF LAW in Opposition re 22 MOTION for Summary Judgment (<i>Revised</i>) filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Replies due by 11/14/2007. (Attachments: # 1 Exhibit Wilson Deposition - part 1, # 2 Exhibit Wilson Deposition - part 2, # 3 Affidavit Wilson Affidavit, # 4 Exhibit Ragin Deposition, # 5 Affidavit Ragin Affidavit, # 6 Exhibit Little Deposition, # 7 Affidavit Little Affidavit, # 8 Exhibit Goree Deposition, # 9 Affidavit Goree Affidavit, # 10 Exhibit Howell Deposition, # 11 Affidavit Howell Affidavit, # 12 Exhibit Alford Deposition, # 13 Affidavit McDuffie Affidavit, # 14 Exhibit Sessions Deposition, # 15 Exhibit Rickard Deposition, # 16 Exhibit East Deposition, # 17 Exhibit Rhymer Deposition, # 18 Exhibit Wittenberg Deposition, # 19 Exhibit Harrill Deposition, # 20 Exhibit Skinner Deposition, # 21 Exhibit Agamede Deposition, # 22 Exhibit Cornelison Deposition, # 23 Exhibit Killon Deposition, # 24 Exhibit McKinney Deposition, # 25 Exhibit Interrogatories, # 26 Exhibit Admissions, # 27 Exhibit Plaintiff Exhibits, # 28 Exhibit EEO-1s, # 29 Exhibit Foster Wheeler, # 30 Exhibit Sackey, # 31 Exhibit KCD Construction, # 32 Exhibit Crowder, # 33 Exhibit Homesley, # 34 Appendix Table of Contents)(MAHOOD, ZOE) Modified on 11/15/2007 to accurately reflect title of document (Wilson, JoAnne). (Entered: 11/14/2007)
11/26/2007		***Motions Submitted: 22 MOTION for Summary Judgment to Judge CHIEF JUDGE JAMES A. BEATY, JR. (Kemp, Donita) (Entered: 11/26/2007)
11/26/2007	33	NOTICE of Hearing: Settlement Conference set for 12/11/2007 10:00 AM in Winston-Salem Courtroom #1 before CHIEF JUDGE JAMES A. BEATY JR. (Kemp, Donita) (Entered: 11/26/2007)
11/28/2007	34	MOTION for Leave to File <i>Surreply in Opposition to Defendant's Motion for Summary Judgment</i> by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. Responses due by 12/21/2007 (Attachments: # 1 Exhibit Surreply, # 2 Text of Proposed Order)(MAHOOD, ZOE) (Entered: 11/28/2007)
11/29/2007		***Motions Submitted: 34 MOTION for Leave to File <i>Surreply in Opposition to Defendant's Motion for Summary Judgment</i> to Judge CHIEF JUDGE JAMES A. BEATY, JR. (Kemp, Donita) (Entered: 11/29/2007)

12/07/2007	35	NOTICE of Appearance by attorney PHILLIP JOHN STRACH on behalf of Defendant HENREDON FURNITURE INDUSTRIES, INC. (STRACH, PHILLIP) (Entered: 12/07/2007)
12/07/2007	36	Witness List by HENREDON FURNITURE INDUSTRIES, INC. (MCGUIRE, GREGORY) (Entered: 12/07/2007)
12/10/2007	37	FINAL PRETRIAL DISCLOSURES. (MAHOOD, ZOE) (Entered: 12/10/2007)
12/11/2007		Minute Entry for proceedings held before CHIEF JUDGE JAMES A. BEATY, JR: Settlement Conference held on 12/11/2007. (Zoe Mahood & Tina Burnside for PLAINTIFF; Gregory McGuire, Phil Strach, & James Cornelison for DEFENDANT; Case Reported Settled; Proposed Consent Decree to be submitted during the week of 12/17/2007 for the Court's consideration.) (Court Reporter Lori Russell.) (Kemp, Donita) (Entered: 12/11/2007)
01/09/2008		Proposed Consent Decree REFERRED to Judge Beaty. (Kemp, Donita) (Entered: 01/09/2008)
01/23/2008		Case no longer referred to Judge Beaty (Wilson, JoAnne) (Entered: 01/24/2008)
01/23/2008	38	CONSENT DECREE signed by CHIEF JUDGE JAMES A. BEATY, JR on 1/22/08. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Wilson, JoAnne) (Entered: 01/24/2008)

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