

18AG, CLOSED

**U.S. District Court
North Carolina Middle District (Durham)
CIVIL DOCKET FOR CASE #: 1:01-cv-00641-NCT**

EEOC v. SEARS, ROEBUCK & CO.
Assigned to: JUDGE N. C. TILLEY, JR
Demand: \$0
Cause: 42:12112 Americans with Disabilities Act

Date Filed: 06/29/2001
Date Terminated: 01/24/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **GWENDOLYN YOUNG REAMS**
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V.

Defendant

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Movant

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Date Filed	#	Docket Text
06/29/2001		**Case assigned to Magistrate Judge ELIASON. AO Code 18AG (K. Welch) (Entered: 06/29/2001)
06/29/2001	1	COMPLAINT; jury demand (K. Welch) (Entered: 06/29/2001)
06/29/2001		Notice of Right to Consent 28 USC 636(c)(2) (K. Welch) (Entered: 06/29/2001)
08/13/2001	2	MOTION to Intervene by (Aggrieved Person) CARL P. DAVENPORT pursuant to 42 U.S.C. sec 1217(a) and 42 U.S.C sec 2000e-5(f)(1) (L. Simmonds) (Entered: 08/14/2001)
08/13/2001	3	BRIEF by CARL P. DAVENPORT in support of [2-1] motion to Intervene by (Aggrieved Person) CARL P. DAVENPORT pursuant to 42 U.S.C. sec 1217(a) and 42 U.S.C sec 2000e-5(f)(1) (L. Simmonds) (Entered: 08/14/2001)
08/13/2001	4	CLAIMS OF INTERVENEER by CARL P. DAVENPORT (L. Simmonds) (Entered: 08/14/2001)
08/29/2001	5	UNOPPOSED MOTION by SEARS, ROEBUCK & CO. to Extend Time for twenty (20) days to and including September 20, 2001 to answer or otherwise plead to Plaintiff's Complaint (L. Simmonds) (Entered: 08/29/2001)
08/30/2001	6	ORDER (signed by the Clerk) granting [5-1] motion to Extend Time for twenty (20) days to and including September 20, 2001 to answer or otherwise plead to Plaintiff's Complaint . Reset Answer deadline to 9/20/01 for SEARS, ROEBUCK & CO . Ccs dist [EOD Date 8/30/01] (L. Simmonds) (Entered: 08/30/2001)
08/30/2001	7	MOTION by SEARS, ROEBUCK & CO. to Extend Time for twenty (20) days to and including September 24, 2001 to file a response to Motion to Intervene filed by Carl P. Davenport with consent (L. Simmonds) Modified on 08/30/2001 (Entered: 08/30/2001)
08/31/2001		Motion(s) referred: [7-1] motion to Extend Time for twenty (20) days to and including September 24, 2001 to file a response to Motion to Intervene filed by Carl P. Davenport referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 08/31/2001)
09/05/2001	8	ORDER granting [7-1] motion to Extend Time for twenty (20) days to and including September 24, 2001 to file a response to Motion to Intervene filed by Carl P. Davenport, Response to Motion set for 9/24/01 for [2-1] motion to Intervene by (Aggrieved Person) CARL P. DAVENPORT pursuant to 42 U.S.C. sec 1217(a) and 42 U.S.C sec 2000e-5(f)(1) (signed by MAG/JUDGE RUSSELL A. ELIASON) [EOD Date 9/5/01] (fe) (Entered: 09/05/2001)
09/20/2001	9	ANSWER to Complaint by SEARS, ROEBUCK & CO. (Attorney

		JAMES B. SPEARS JR. and JOHN D. COLE) (fe) (Entered: 09/20/2001)
10/10/2001		Motion submission: [2-1] motion to Intervene by (Aggrieved Person) CARL P. DAVENPORT pursuant to 42 U.S.C. sec 1217(a) and 42 U.S.C sec 2000e-5(f)(1) submitted to Judge Bullock (D. Mccarty) (Entered: 10/10/2001)
10/12/2001	10	RESPONSE by defendant SEARS, ROEBUCK & CO. to [8-1] order submitted to the Court on October 4, 2001. (dmm for lks) (L. Simmonds) Modified on 10/18/2001 (Entered: 10/15/2001)
10/19/2001	11	NOTICE of Hearing: set Initial Pretrial Conference for 9:30 11/21/01 in COURTROOM #3 (WSA) (before MAG/JUDGE RUSSELL A. ELIASON). Ccs. dist. (W. Williamson) (Entered: 10/19/2001)
10/19/2001	12	ORDER signed JUDGE FRANK W. BULLOCK JR. that CARL P. DAVENPORT be allowed to intervene in this action as a matter of right, and that Claims of Intervener Carl Davenport be filed in this action; and that Davenport be allowed to participate fully in all phases of this action. Ccs dist [EOD Date 10/22/01] (L. Simmonds) (Entered: 10/22/2001)
11/01/2001	13	ANSWER by SEARS, ROEBUCK & CO. to [4-1] Claims of Intervenor Carl Davenport. (fe) (Entered: 11/01/2001)
11/08/2001		CASE REFERRED to Mag/Jud Eliason re: proposed Joint Rule 26(f) Report. (W. Williamson) (Entered: 11/08/2001)
11/14/2001	14	Joint Rule 26(f) Report and Order setting Discovery cutoff 6/7/02; Notice of Intent to file Dsp. Motions due by 6/17/02; Complex Case Management track; Mediation should be conducted later in the discovery period, the exact date to be set by the mediator after consultation with the parties. The parties agree that the mediator shall be Jonathan R. Harkavy; The parties shall be allowed until 12/07/01 to join additional parties or to amend pleadings; JURY DEMAND; The parties report that reference of this action to a Magistrate Judge is not appropriate; (signed by MAG/JUDGE RUSSELL A. ELIASON) ETT 4d [EOD Date 11/14/01] Ccs. Dist. (fe) (Entered: 11/14/2001)
11/14/2001		Complex Case (fe) (Entered: 11/14/2001)
11/14/2001		CASE SELECTED FOR MEDIATION (fe) (Entered: 12/06/2001)
12/10/2001	15	ORDER Appointing Mediator Jonathan R. Harkavy (signed by Clerk). [EOD Date 12/10/01] (J. Wilson) (Entered: 12/10/2001)
12/14/2001		Mediation Hearing set for no later than 6/7/02 (J. Wilson) (Entered: 12/14/2001)
01/09/2002	16	NOTICE of Hearing: set Jury Trial for 9:30 1/6/03 in UNASSIGNED COURTROOM , set Brief deadline to 12/17/02 () (D. Mccarty) (Entered: 01/09/2002)
01/31/2002		CASE REFERRED to Mag/Jud Eliason with proposed stipulation and consent order (D. Mccarty) (Entered: 01/31/2002)

02/05/2002	17	STIPULATION AND CONSENT ORDER signed by MAG/JUDGE RUSSELL A. ELIASON that intervenor through counsel, authorizes the release of intervenor's personnel, client, contractor and other files by the Division of Services of the Blind to counsel for defendant and counsel for pltf. upon entry of this Consent Order by a United States District Court Judge authorizing the production of these files. Ccs dist (L. Simmonds) (Entered: 02/05/2002)
02/05/2002		CASE NO LONGER REFERRED to Mag/Jud. (L. Simmonds) (Entered: 02/05/2002)
02/26/2002		Consent protective order sent to magistrate judge for approval. (D. Mccarty) (Entered: 02/26/2002)
02/28/2002	18	CONSENT PROTECTIVE ORDER (signed by MAG/JUDGE RUSSELL A. ELIASON) that Confidential personnel information may be disclosed by Plaintiff's counsel to Plaintiff, to Plaintiff-Intervenor, and to Plaintiff-Intervenor's counsel, but may not be disclosed to any other person except as provided by this Order. Ccs dist [EOD Date 2/28/02] (L. Simmonds) (Entered: 02/28/2002)
03/01/2002	19	JOINT MOTION by EEOC, SEARS, ROEBUCK & CO., CARL P. DAVENPORT to Extend Discovery and Amend [14-1] Joint 26 Report Discovery Plan pursuant to Rule 6(b) (L. Simmonds) (Entered: 03/01/2002)
03/01/2002		Motion(s) referred: [19-1] motion to Extend Discovery and Amend [14-1] Joint 26 Report Discovery Plan pursuant to Rule 6(b) referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 03/01/2002)
03/06/2002	20	ORDER signed by MAG/JUDGE RUSSELL A. ELIASON that the parties [19-1] Joint Motion to Extend Discovery and Amend Joint 26 Report Discovery Plan is denied without prejudice to the parties submitting a motion and order setting out a schedule which has all motions and briefs filed and ready for ruling on or before date. October 11, 2002. Ccs dist [EOD Date 3/6/02] (L. Simmonds) (Entered: 03/06/2002)
04/01/2002	21	JOINT MOTION by EEOC, SEARS, ROEBUCK & CO. and CARL P. DAVENPORT to Extend Discovery and Amend Discovery Plan (fe) (Entered: 04/01/2002)
04/02/2002		Motion(s) referred: [21-1] joint motion to Extend Discovery and Amend Discovery Plan referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 04/02/2002)
04/04/2002	22	ORDER signed by MAG/JUDGE RUSSELL A. ELIASON that the date for completion for all discovery is July 31, 2002. Reports from retained experts under Rule 26(a)(2) shall be due from Plaintiff and Plaintiff-Intervenor by May 15, 2002. Reports from retained experts under Rule 26(a)(2) shall be due from Defendant by June 15, 2002. Discovery shall include 11 fact witness depositions for Defendant (absent agreement by

		all of the parties or leave of court). Dispositive motions shall be due by August 30, 2002 . Reset Discovery deadline to 7/31/02 , Dispositive motions due 8/30/02 . Ccs dist [EOD Date 4/4/02] (L. Simmonds) (Entered: 04/04/2002)
04/04/2002		Mediation Hearing set for no later than 7/31/2002. (fe) (Entered: 04/10/2002)
05/17/2002	23	MOTION by EEOC to Compel Defendant's Discovery Responses with Certification pursuant to Rule 26.1(c) (L. Simmonds) (Entered: 05/21/2002)
05/17/2002	24	MEMORANDUM by EEOC in support of [23-1] motion to Compel Defendant's Discovery Responses by EEOC (L. Simmonds) (Entered: 05/21/2002)
05/17/2002	25	MOTION by SEARS, ROEBUCK & CO. for Protective Order (L. Simmonds) (Entered: 05/21/2002)
06/07/2002	26	MEMORANDUM IN OPPOSITION by EEOC to [25-1] motion for Protective Order by SEARS, ROEBUCK & CO. (J. Wilson) (Entered: 06/07/2002)
06/07/2002	27	MOTION by SEARS, ROEBUCK & CO. to Extend Time until 6/21/02 to file response to EEOC's Motion to Compel Discovery . With consent. (C. Gammon) (Entered: 06/10/2002)
06/11/2002		Motion(s) referred: [27-1] motion to Extend Time until 6/21/02 to file response to EEOC's Motion to Compel Discovery referred to MAG/JUDGE RUSSELL A. ELIASON (R. Winchester) (Entered: 06/11/2002)
06/13/2002	28	ORDER granting [27-1] motion to Extend Time until 6/21/02 to file response to EEOC's Motion to Compel Discovery signed by MAG/JUDGE RUSSELL A. ELIASON [EOD Date 6/13/02] (J. Wilson) (Entered: 06/13/2002)
06/18/2002		Mediation Hearing held 6/11/02 (J. Wilson) (Entered: 06/19/2002)
06/21/2002	29	REPLY (with attachment A) by SEARS, ROEBUCK & CO. to response to [25-1] motion for Protective Order by SEARS, ROEBUCK & CO. (fe) (Entered: 06/24/2002)
06/21/2002	30	RESPONSE (with attachments A-B) by SEARS, ROEBUCK & CO. to [23-1] motion to Compel Defendant's Discovery Responses by EEOC (fe) (Entered: 06/24/2002)
06/26/2002	31	MOTION (with attached exhibits A-F) by CARL P. DAVENPORT to Compel defendant Sears, Roebuck & Company to provide discovery pursuant to Rule 37 of the FRCvP . (fe) Modified on 06/26/2002 (Entered: 06/26/2002)
06/26/2002	32	MEMORANDUM by CARL P. DAVENPORT in support of [31-1] motion to Compel defendant Sears, Roebuck & Company to provide

		discovery pursuant to Rule 37 of the FRCvP by CARL P. DAVENPORT (fe) (Entered: 06/26/2002)
06/26/2002	33	MOTION (with attached original affidavit of John D. Cole) by SEARS, ROEBUCK & CO. to Extend Time to respond to intervenor's interrogatory nos. 10 & 11 . (fe) (Entered: 06/26/2002)
06/27/2002		Motion(s) referred: [33-1] motion to Extend Time to respond to intervenor's interrogatory nos. 10 & 11 referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 06/27/2002)
07/02/2002		Motion(s) no longer referred: [33-1] motion to Extend Time to respond to intervenor's interrogatory nos. 10 & 11 (D. Mccarty) (Entered: 07/02/2002)
07/08/2002	34	REPLY by EEOC to response to [23-1] motion to Compel Defendant's Discovery Responses by EEOC (fe) (Entered: 07/09/2002)
07/09/2002		Motion(s) referred: [23-1] motion to Compel Defendant's Discovery Responses referred to MAG/JUDGE RUSSELL A. ELIASON, [25-1] motion for Protective Order referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 07/09/2002)
07/15/2002	35	MOTION by SEARS, ROEBUCK & CO. to increase the number of fact witness depositions for defendant . Plaintiff's counsel opposes this motion. (fe) (Entered: 07/15/2002)
07/16/2002		Motion(s) referred: [35-1] motion to increase the number of fact witness depositions for defendant referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 07/16/2002)
07/18/2002		Motion(s) no longer referred: [35-1] motion to increase the number of fact witness depositions for defendant (D. Mccarty) (Entered: 07/18/2002)
07/18/2002	36	MEMORANDUM IN OPPOSITION (with attached exhibits A-C) by EEOC to [35-1] motion to increase the number of fact witness depositions for defendant by SEARS, ROEBUCK & CO. (fe) (Entered: 07/18/2002)
07/18/2002	37	JOINT MOTION by EEOC, CARL P. DAVENPORT for Protective Order pursuant to Rule 26(c)(2) FRCvP . (fe) Modified on 07/19/2002 (Entered: 07/18/2002)
07/18/2002	38	MEMORANDUM (with exhibits A-C) by EEOC, CARL P. DAVENPORT in support of [37-1] joint motion for Protective Order pursuant to Rule 26(c)(2) FRCvP by CARL P. DAVENPORT, EEOC (fe) (Entered: 07/19/2002)
07/18/2002	39	JOINT MOTION by EEOC, CARL P. DAVENPORT for expedited discovery hearing pursuant to Local Rule 26.1 . (fe) (Entered: 07/19/2002)
07/18/2002	40	JOINT MEMORANDUM by EEOC, CARL P. DAVENPORT in support

		of [39-1] joint motion for expedited discovery hearing pursuant to Local Rule 26.1 by CARL P. DAVENPORT, EEOC (fe) (Entered: 07/19/2002)
07/18/2002	41	RESPONSE by CARL P. DAVENPORT to [35-1] motion to increase the number of fact witness depositions for defendant by SEARS, ROEBUCK & CO. (fe) (Entered: 07/19/2002)
07/18/2002	42	MEMORANDUM by CARL P. DAVENPORT in support of [41-1] motion response by CARL P. DAVENPORT (fe) (Entered: 07/19/2002)
07/18/2002	43	RESPONSE, with attachments, by SEARS, ROEBUCK & CO. to [31-1] motion to Compel defendant Sears, Roebuck & Company to provide discovery pursuant to Rule 37 of the FRCvP by CARL P. DAVENPORT (fe) (Entered: 07/19/2002)
07/22/2002		Motion(s) referred: [35-1] motion to increase the number of fact witness depositions for defendant referred to MAG/JUDGE WALLACE W. DIXON (D. Mccarty) (Entered: 07/22/2002)
07/22/2002		Motion(s) referred: [37-1] joint motion for Protective Order pursuant to Rule 26(c)(2) FRCvP referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 07/22/2002)
07/22/2002		Motion(s) referred: [39-1] joint motion for expedited discovery hearing pursuant to Local Rule 26.1 referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 07/22/2002)
07/23/2002		Telephonic Notice to parties setting telephone conference for Wednesday, July 24, 2002, at 10:00 a.m. with Magistrate Judge Eliason (D. Mccarty) (Entered: 07/23/2002)
07/23/2002		Telephone Conference scheduled with - MAG/JUDGE RUSSELL A. ELIASON and counsel Re: on 7/24/02 at 10:00 a.m. re motion for expedited hearing. (D. Mccarty) (Entered: 07/23/2002)
07/23/2002	44	MOTION by SEARS, ROEBUCK & CO. to Extend Time for parties to complete depositions for an additional fourteen days to and including 8/14/02. Counsel for EEOC opposes this motion.(fe) Modified on 07/23/2002 (Entered: 07/23/2002)
07/23/2002		Motion(s) referred: [44-1] motion to Extend Time for parties to complete depositions referred to MAG/JUDGE RUSSELL A. ELIASON (D. Mccarty) (Entered: 07/23/2002)
07/23/2002	45	REPLY by SEARS, ROEBUCK & CO. to response to [35-1] motion to increase the number of fact witness depositions for defendant by SEARS, ROEBUCK & CO. (fe) (Entered: 07/23/2002)
07/24/2002	46	MOTION by EEOC to Compel defendant to produce Sue Menzel for her deposition and to make a designation for plaintiff's 30(b)(6) deposition. (D. Mccarty) (Entered: 07/24/2002)
07/24/2002	47	MEMORANDUM by EEOC in support of [46-1] motion to Compel defendant to produce Sue Menzel for her deposition and to make a

		designation for plaintiff's 30(b)(6) deposition. by EEOC (D. Mccarty) (Entered: 07/24/2002)
07/24/2002	48	ORDER granting [37-1] joint motion for Protective Order and the parties are directed to take the deposition on or before Aug. 16, 2002 at a time mutually agreeable to all of them, granting in part, denying in part [46-1] motion to Compel defendant to produce Sue Menzel for her deposition and to make a designation for plaintiff's 30(b)(6) deposition. The court directs that the deposition take place on July 26, 2002 at 10:00 a.m., granting [35-1] motion to increase the number of fact witness depositions for defendant, defendant may take the depositions of two individuals as identified at Jul. 24, 2002 telephonic hearing on Aug. 7, 2002 starting at 10:00 a.m., granting in part, denying in part [44-1] motion to Extend Time for parties to complete depositions, the court extended the dispositive motion briefing schedule as follows. All disp. motions must be filed on or before Sept. 10, 2002. Responses are due on or before Oct. 7, 2002. Reply Briefs are due on or before Oct. 15, 2002 IT IS ORDERED signed by MAG/JUDGE RUSSELL A. ELIASON [EOD Date 7/24/02]. Ccs. dist. (W. Williamson) (Entered: 07/24/2002)
08/01/2002	49	ORDER that plaintiff EEOC's and the plaintiff/intervenor Carl Davenport's motions to compel (docket nos. 23 & 31) are granted in part and denied in part as set out in the body of the Order. (signed by MAG/JUDGE RUSSELL A. ELIASON) [EOD Date 8/1/02] Ccs. Dist. (fe) (Entered: 08/01/2002)
08/01/2002	50	ORDER that defendant's motion for a protective order (docket no. 25) is granted in part and denied in part as is specifically set out in the body of the order. Any deposition topic or request for documents not mentioned in the body of the order is not entitled to a protective order. (signed by MAG/JUDGE RUSSELL A. ELIASON) [EOD Date 8/1/02] Ccs. Dist. (fe) (Entered: 08/01/2002)
08/09/2002	51	Notice of Intent to File Dispositive Motions. Dispositive Motions due by 8/30/02. Filed by SEARS, ROEBUCK & CO. (fe) (Entered: 08/09/2002)
08/09/2002	52	Notice of Intent to File Dispositive Motions. Dispositive Motions due by 8/30/02. Filed by EEOC. (fe) (Entered: 08/09/2002)
08/12/2002	53	Notice of Intent to File Dispositive Motions. Dispositive Motions due by 8/30/02. Filed by CARL P. DAVENPORT. (fe) (Entered: 08/12/2002)
09/10/2002	54	JOINT MOTION for Partial Summary Judgment pursuant to Rule 56 of the FRCvP by plaintiff EEOC, movant CARL P. DAVENPORT (fe) (Entered: 09/11/2002)
09/10/2002	55	BRIEF (with Depositions, Exhibits, Affidavits and Deposition Exhibits located in expandable file) by EEOC, CARL P. DAVENPORT in support of [54-1] motion for Partial Summary Judgment pursuant to Rule 56 of the FRCvP by CARL P. DAVENPORT, EEOC (fe) (Entered: 09/11/2002)
09/10/2002	56	STIPULATION of voluntary dismissal with prejudice of intervenor's

		second and third claims against defendant Sears. (fe) (Entered: 09/11/2002)
09/10/2002	57	MOTION (with attachments A-H located in expandable file) for Summary Judgment pursuant to Rule 56 of the FRCvP by defendant SEARS, ROEBUCK & CO. (fe) (Entered: 09/11/2002)
09/10/2002	58	Motion to Exceed Page Limitation of Brief by four pages by SEARS, ROEBUCK & CO. RE: [57-1] motion for Summary Judgment pursuant to Rule 56 of the FRCvP by SEARS, ROEBUCK & CO. (fe) (Entered: 09/11/2002)
09/11/2002		Motion submission: [58-1] motion to Exceed Page Limitation of Brief by four pages submitted to Judge Bullock (D. Mccarty) (Entered: 09/11/2002)
09/12/2002	59	ORDER granting [58-1] motion to Exceed Page Limitation of Brief by four pages. Signed by JUDGE FRANK W. BULLOCK JR. Ccs. dist. [EOD Date 9/12/02] (fe) (Entered: 09/12/2002)
09/25/2002	60	MEMORANDUM (with attachment) by SEARS, ROEBUCK & CO. in support of [57-1] motion for Summary Judgment pursuant to Rule 56 of the FRCvP by SEARS, ROEBUCK & CO. (fe) (Entered: 09/25/2002)
10/03/2002	61	Joint Motion to file four additional pages for Joint Memorandum in Reponse to Defendant's Motion for Summary Judgment by CARL P. DAVENPORT. Cnsl for defendant has not responded consent to this motion (L. Simmonds) Modified on 10/03/2002 (Entered: 10/03/2002)
10/04/2002		Motion submission: [61-1] motion to file four additional pages for Joint Memorandum in Reponse to Defendant's Motion for Summary Judgment submitted to Judge Bullock (D. Mccarty) (Entered: 10/04/2002)
10/07/2002	62	ORDER granting [61-1] motion to file four additional pages for Joint Memorandum in Reponse to Defendant's Motion for Summary Judgment. Signed by JUDGE FRANK W. BULLOCK JR. Ccs dist [EOD Date 10/7/02] (L. Simmonds) (Entered: 10/07/2002)
10/07/2002	63	JOINT MOTION by EEOC, CARL P. DAVENPORT to Strike Evidence in support of motion for Summary Judgment by SEARS, ROEBUCK & CO. (L. Simmonds) (Entered: 10/08/2002)
10/07/2002	64	JOINT MEMORANDUM IN RESPONSE by EEOC, CARL P. DAVENPORT to [57-1] motion for Summary Judgment pursuant to Rule 56 of the FRCvP by SEARS, ROEBUCK & CO. (L. Simmonds) (Entered: 10/08/2002)
10/07/2002	65	RESPONSE IN OPPOSITION (with attachments of Depositions, Deposition Exhibits, and Other Exhibits in Support of Pltf's and Intervenor's Response in Opposition located in expandable folder) by EEOC, CARL P. DAVENPORT to [57-1] motion for Summary Judgment pursuant to Rule 56 of the by SEARS, ROEBUCK & CO. (L. Simmonds) Modified on 10/08/2002 (Entered: 10/08/2002)

10/07/2002	66	MOTION by SEARS, ROEBUCK & CO. to Strike Portion of Affidavit of Carl P. Davenport (L. Simmonds) (Entered: 10/08/2002)
10/07/2002	67	RESPONSE by SEARS, ROEBUCK & CO. to [54-1] motion for Partial Summary Judgment pursuant to Rule 56 of the FRCvP by CARL P. DAVENPORT, EEOC (L. Simmonds) (Entered: 10/08/2002)
10/07/2002	67	MEMORANDUM by SEARS, ROEBUCK & CO. in support of [66-1] motion to Strike Portion of Affidavit of Carl P. Davenport by SEARS, ROEBUCK & CO. (L. Simmonds) (Entered: 10/08/2002)
10/07/2002	68	EXHIBITS (A thru T) by SEARS, ROEBUCK & CO. in support of its Response to Plaintiff's Motion for Partial Summary Judgment (located in expandable file) (L. Simmonds) (Entered: 10/08/2002)
10/11/2002	69	Motion to Exceed Page Limitation of Brief by an additional five (5) pages for Defendant's Summary Judgment Reply by SEARS, ROEBUCK & CO. Pltf/Intervenor Davenport's cnsl objects to the extension of page limitation. Cnsl for pltf. EEOC has not not responded to request. Dft will advise court of pltf. EEOC cnsl's position on motion when he receives it (L. Simmonds) (Entered: 10/11/2002)
10/15/2002	70	REPLY BRIEF by EEOC, CARL P. DAVENPORT in support of [54-1] motion for Partial Summary Judgment pursuant to Rule 56 of the FRCvP by CARL P. DAVENPORT, EEOC (L. Simmonds) (Entered: 10/16/2002)
10/15/2002	71	REPLY by SEARS, ROEBUCK & CO. to response to [57-1] motion for Summary Judgment pursuant to Rule 56 of the FRCvP by SEARS, ROEBUCK & CO. (L. Simmonds) (Entered: 10/16/2002)
10/15/2002	72	Supplemental Attachments (with Exhibits I thru O attached) by SEARS, ROEBUCK & CO. in support of [57-1] motion for Summary Judgment pursuant to Rule 56 of the by SEARS, ROEBUCK & CO. (Supplemental Attachment located in expandable file) (L. Simmonds) Modified on 10/16/2002 (Entered: 10/16/2002)
10/15/2002	73	NOTICE of Intent by SEARS, ROEBUCK & CO. to respond to Plaintiffs' Motion to Strike [63-1] (L. Simmonds) (Entered: 10/16/2002)
10/18/2002		Motion submission: [69-1] motion to Exceed Page Limitation of Brief by an additional five (5) pages for Defendant's Summary Judgment Reply submitted to Judge Bullock (D. Mccarty) (Entered: 10/18/2002)
10/18/2002	74	ORDER granting [69-1] motion to Exceed Page Limitation of Brief by an additional five (5) pages for Defendant's Summary Judgment Reply. Signed by JUDGE FRANK W. BULLOCK JR. Ccs. dist. [EOD Date 10/18/02] (fe) (Entered: 10/18/2002)
10/30/2002	75	RESPONSE (with attachments) by SEARS, ROEBUCK & CO. to [63-1] motion to Strike Evidence in support of motion for Summary Judgment by ROEBUCK & CO. by CARL P. DAVENPORT, EEOC (L. Simmonds) (Entered: 10/30/2002)

11/04/2002		Motion submission: [54-1] motion for Partial Summary Judgment pursuant to Rule 56 of the FRCvP submitted, [57-1] motion for Summary Judgment pursuant to Rule 56 of the FRCvP submitted, [63-1] motion to Strike Evidence in support of motion for Summary Judgment by SEARS, ROEBUCK & CO. submitted, [66-1] motion to Strike Portion of Affidavit of Carl P. Davenport submitted to Judge Bullock (D. Mccarty) (Entered: 11/04/2002)
11/06/2002		TRIAL CALENDAR mailed to parties for session beginning 1/6/03 at Greensboro,NC. (D. Mccarty) (Entered: 11/06/2002)
11/13/2002		Deadline Updated; set Jury Trial for 9:30 1/6/03 in COURTROOM #2 (GSO) before CHIEF JUDGE N. C. TILLEY JR. (D. Mccarty) (Entered: 11/13/2002)
11/27/2002	76	NOTICE of Hearing: setting Settlement Conference for 3:00 12/19/02 in COURTROOM #2 (GSO) (before CHIEF JUDGE N. C. TILLEY JR.). Settlement position papers due 12/13/02. (S. Blumke) (Entered: 11/27/2002)
12/11/2002	77	MOTION (with consent) by EEOC, CARL P. DAVENPORT to Extend Time from Friday December 6, 2002 until Wednesday December 11, 2002 for parties to serve Rule 26(a)(3) (L. Simmonds) (Entered: 12/11/2002)
12/13/2002		Motion submission: [77-1] motion to Extend Time from Friday December 6, 2002 until Wednesday December 11, 2002 for parties to serve Rule 26(a)(3) submitted to Judge Tilley (S. Blumke) (Entered: 12/13/2002)
12/13/2002		Statement of Settlement Position as requested by Judge Tilley submitted by plaintiff EEOC. (S. Blumke) (Entered: 12/13/2002)
12/13/2002		Statement of Settlement Position as requested by Judge Tilley submitted by defendant SEARS, ROEBUCK & CO. (S. Blumke) (Entered: 12/13/2002)
12/13/2002	78	ORDER signed by CHIEF JUDGE N. C. TILLEY JR. the time for serving the Rule 26(a)(3) Disclosures is extended from Friday 12/6/02 until Wednesday 12/11/02. Purs. to Rule 26(a)(3), the parties will file and serve their objections, if any, to the disclosures on Thursday 12/26/02. Ccs dist. [EOD Date 12/16/02] (J. Wilson) (Entered: 12/16/2002)
12/13/2002		Statement of Settlement Position as requested by Judge Tilley submitted by movant CARL P. DAVENPORT . (S. Blumke) (Entered: 12/16/2002)
12/17/2002	79	JOINT TRIAL BRIEF by CARL P. DAVENPORT, SEARS, ROEBUCK & CO. (S. Blumke) (Entered: 12/18/2002)
12/17/2002	80	Proposed Voir Dire Questions by CARL P. DAVENPORT (S. Blumke) (Entered: 12/18/2002)
12/17/2002	81	Proposed Jury instructions by CARL P. DAVENPORT (S. Blumke) (Entered: 12/18/2002)

12/17/2002	82	Proposed Voir Dire Questions by EEOC (S. Blumke) (Entered: 12/18/2002)
12/17/2002	83	Proposed Jury instructions by EEOC (S. Blumke) (Entered: 12/18/2002)
12/17/2002	84	TRIAL BRIEF by SEARS, ROEBUCK & CO. (D. Mccarty) (Entered: 12/18/2002)
12/17/2002	85	Proposed Voir Dire Questions by SEARS, ROEBUCK & CO. (D. Mccarty) (Entered: 12/18/2002)
12/17/2002	86	Proposed Jury instructions by SEARS, ROEBUCK & CO. (D. Mccarty) (Entered: 12/18/2002)
12/19/2002		Settlement Conference held before CHIEF JUDGE N. C. TILLEY JR. in GSO. Beck, Rptr. Case Reported Settled. (S. Blumke) (Entered: 12/19/2002)
12/19/2002		Deadline updated; setting Stipulation of Dismissal Deadline to 1/19/03 (S. Blumke) (Entered: 12/31/2002)
01/10/2003	87	CONSENT DECREE (signed by CHIEF JUDGE N. C. TILLEY JR.) as set out. Ccs dist [EOD Date 1/10/03] (L. Simmonds) (Entered: 01/10/2003)
01/13/2003	88	STIPULATION of voluntary dismissal with prejudice of Intervenor's claims against defendant pursuant to rule 41(a) of the FRCvP. (fe) (Entered: 01/13/2003)
01/24/2003	89	ORDER OF DISMISSAL WITH PREJUDICE signed by CHIEF JUDGE N. C. TILLEY JR. [EOD Date 1/24/03] (J. Wilson) (Entered: 01/24/2003)
01/24/2003		CASE CLOSED. Closing Code 8e (J. Wilson) (Entered: 01/24/2003)

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