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**U.S. District Court  
Northern District of Ohio (Cleveland)  
CIVIL DOCKET FOR CASE #: 1:99-cv-02329-KMO**

Equal Employment Opportunity Commission v. Ethan Allen, Inc. Date Filed: 09/28/1999  
Assigned to: Hon. Kathleen M. O'Malley Date Terminated: 03/28/2003  
Member case: [\(View Member Case\)](#) Jury Demand: Plaintiff  
Cause: 42:2000e Job Discrimination (Employment) Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****Equal Employment Opportunity  
Commission**

represented by **C. Larry Watson**  
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V.

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/09/2002	<a href="#"><u>0</u></a>	Docket sheet from ICMS. (M, EJ) (Entered: 08/09/2002)

08/09/2002	<a href="#">59</a>	Notice of Placement of case in the CM/ECF Docketing System. (M, EJ) (Entered: 08/09/2002)
10/02/2002	<a href="#">60</a>	Unopposed Motion for order of <i>Disclosure of Investigative Files</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Declaration in Support)(Stern, Jeffrey) (Entered: 10/02/2002)
10/02/2002	<a href="#">61</a>	Trial Order; with Pre-Trial Conference set for 2/12/2003 at 12:30 PM in Chambers 16A, Jury Trial set for 2/24/2003 at 9:00 a.m.; with attached timeline of obligations; Judge Kathleen M. O'Malley(R, N) (Entered: 10/03/2002)
10/02/2002	<a href="#">62</a>	Minutes of telephone status hearing; setting trial date; Mr. Pelsozy may schedule a 2 hour deposition of Ms. Formasano; Judge Kathleen M. O'Malley (R, N) (Entered: 10/03/2002)
10/10/2002		Order (non-document) signed on 10/10/2002 Granting plaintiff's Motion for order of disclosure of investigative files (Related Doc # <a href="#">60</a> ). Kathleen M. O'Malley (H, C) (Entered: 10/10/2002)
01/02/2003	<a href="#">63</a>	Motion in limine <i>regarding expert testimony</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Deposition of Albert H. Lyter III, Ph.D.)(Stern, Jeffrey) (Entered: 01/02/2003)
01/03/2003	<a href="#">64</a>	Deposition Excerpt of <i>Erich J. Speckin taken on 2/07/02 by plaintiff (Related document # <a href="#">63</a>)</i> filed by Equal Employment Opportunity Commission. (H, D) Modified on 3/6/2003 (H, D). Modified text on 3/7/2003 (L, T). (Entered: 01/06/2003)
01/10/2003	<a href="#">65</a>	Opposition (Related Motion(s) <a href="#">63</a> ) to <i>EEOC's Motion in Limine</i> filed by Ethan Allen, Inc.. (Attachments: # <a href="#">1</a> Affidavit of Erich Speckin# <a href="#">2</a> Notice of Manual Filing)(Harrold, Linda) (Entered: 01/10/2003)
01/14/2003	<a href="#">66</a>	Notice of Filing Signed Original filed by Ethan Allen, Inc. (Related document # <a href="#">65</a> ) (Attachments: # <a href="#">1</a> Affidavit of Erich Speckin)(Harrold, Linda) Modified text on 1/15/2003 (H, D). (Entered: 01/14/2003)
01/15/2003	<a href="#">67</a>	Notice of filing deposition transcripts of <i>Erich J. Speckin and Albert H. Lyter</i> filed by Ethan Allen, Inc.. (C, K A) Modified text of docket entry on 1/17/2003 (B, B). (Entered: 01/16/2003)
01/15/2003	<a href="#">68</a>	Deposition of <i>Erich J. Speckin taken on 2/7/02</i> filed by Ethan Allen, Inc.. (C, K A) (Entered: 01/16/2003)
01/15/2003	<a href="#">69</a>	Deposition of <i>Albert H. Lyter taken on 2/7/02</i> filed by Ethan Allen, Inc.. (C, K A) (Entered: 01/16/2003)
01/21/2003	<a href="#">70</a>	Notice of Supplemental Manual Filing (Related document # <a href="#">69</a> ) filed by Ethan Allen, Inc. (Harrold, Linda) Modified on 1/21/2003: Supplemental Filings: EEOC's Disclosure of Expert Testimony; Deposition (Volume II) of Albert H. Lyter, III, Ph.D.; Third Supplemental Report of Laboratory Examination, Received & Filed on 1/21/03 (62 pages - Complete Document on File in Clerk's Office) (M, J A). Modified on 1/23/2003 (H, D). (Entered: 01/21/2003)
01/22/2003	<a href="#">71</a>	Witness List of <i>Defendant Ethan Allen, Inc.</i> filed by Ethan Allen, Inc. (Harrold, Linda) Modified on 1/23/2003 (H, D). (Entered: 01/22/2003)

01/22/2003	<a href="#">72</a>	Exhibit List of <i>Defendant Ethan Allen, Inc.</i> filed by Ethan Allen, Inc.. (Harrold, Linda) (Entered: 01/22/2003)
01/22/2003	<a href="#">73</a>	Reply (Related Motion(s) <a href="#">63</a> ) <i>Reply Memorandum</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Lyter Declaration# <a href="#">2</a> Stewart Declaration# <a href="#">3</a> 2002 WL 1341762 extract)(Stern, Jeffrey) (Entered: 01/22/2003)
01/22/2003	<a href="#">74</a>	Witness List and <i>Exhibit List of Plaintiffs</i> filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 01/22/2003)
01/23/2003	<a href="#">75</a>	Letter regarding <i>Ethan Allen's request to reopen the Pobuda Deposition</i> filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 01/23/2003)
01/29/2003	<a href="#">76</a>	Proposed Voir Dire filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 01/29/2003)
01/29/2003	<a href="#">77</a>	Trial Brief filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 01/29/2003)
01/29/2003	<a href="#">78</a>	Omnibus Motion in limine to exclude certain testimony and comments filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) Modified text on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/29/2003	<a href="#">79</a>	Objections To Plaintiffs' Proposed Trial Exhibits filed by Ethan Allen, Inc. (Related document <a href="#">74</a> ) (Harrold, Linda) Modified text, termed as Motion and email to attorney as to correct event selection on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/29/2003	<a href="#">80</a>	Motion in limine to <i>exclude certain testimony at trial</i> filed by Ethan Allen, Inc. (Attachments: # <a href="#">1</a> Sporcich Depo Pages# <a href="#">2</a> Mora Depo Pages)(Harrold, Linda) Modified text on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/29/2003	<a href="#">81</a>	Proposed Voir Dire <i>Questions</i> filed by Ethan Allen, Inc. (Harrold, Linda) Modified text on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/29/2003	<a href="#">82</a>	Trial Brief filed by Ethan Allen, Inc. (Attachments: # <a href="#">1</a> Carlisle# <a href="#">2</a> Logan# <a href="#">3</a> Grigaliunas)(Harrold, Linda) Modified text on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/29/2003	<a href="#">83</a>	Trial Brief filed by Mora and Sporcich. (Pelsozy, Dale) Modified text on 1/30/2003 (M, J A). (Entered: 01/29/2003)
01/30/2003	<a href="#">84</a>	First Motion in limine for an order prohibiting the introduction of certain issues, evidence and witnesses by <i>Plaintiffs Mora And Sporcich</i> filed by all parties. (Pelsozy, Dale) Modified on 1/31/2003 (H, D). (Entered: 01/30/2003)
01/31/2003	<a href="#">85</a>	Motion by John D. Sargent to withdraw as attorney filed by Equal Employment Opportunity Commission. (Sargent, John) Modified on 2/3/2003 (H, D). (Entered: 01/31/2003)
01/31/2003	<a href="#">86</a>	Affidavit/Declaration <i>Albert H. Lyter, III, Ph.D.(Signed Original of Attachment #1 to Doc.#73)</i> , (Related document # <a href="#">73</a> ) filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) Modified on 2/3/2003 (H, D). (Entered: 01/31/2003)

01/31/2003	<a href="#">87</a>	Affidavit/Declaration of <i>Larry F. Stewart</i> (Signed Original of Attachment#2 of Doc.#73), (Related document # <a href="#">73</a> ) filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) Modified on 2/3/2003 (H, D). (Entered: 01/31/2003)
02/05/2003	<a href="#">88</a>	Response (Related Motion(s) <a href="#">78</a> , <a href="#">84</a> ) by <i>Defendant Ethan Allen Inc.</i> to <i>Motions in Limine Filed by the EEOC, Mora and Sporcich</i> filed by Ethan Allen, Inc. (Harrold, Linda) Modified text on 2/6/2003 (H, D). (Entered: 02/05/2003)
02/05/2003	<a href="#">89</a>	Response (Related Motion(s) <a href="#">80</a> ) to <i>Ethan Allen's Motion in Limine with attachments</i> filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) Modified on 2/6/2003 (H, D). (Entered: 02/05/2003)
02/05/2003	<a href="#">90</a>	Opposition (Related Motion(s) <a href="#">80</a> ) <i>Brief to Ethan Allen's Motion in Limine</i> filed by all plaintiffs. (Pelsozy, Dale) Modified text on 2/6/2003 (H, D). (Entered: 02/05/2003)
02/07/2003		Order (non-document) signed on 2/7/2003 Granting plaintiff's Motion to withdraw attorney John D. Sargent (Related Doc # <a href="#">85</a> ). Kathleen M. O'Malley (H, C) (Entered: 02/07/2003)
02/11/2003	<a href="#">91</a>	Proposed Jury Instructions <i>Jury Instructions</i> filed by Ethan Allen, Inc.. (Harrold, Linda) (Entered: 02/11/2003)
02/11/2003	<a href="#">92</a>	<i>Brief in Opposition to Ethan Allen's Objections to Exhibits</i> (Related document # <a href="#">79</a> ) filed by all defendants. (Pelsozy, Dale) Modified text on 2/12/2003 (H, D). (Entered: 02/11/2003)
02/11/2003	<a href="#">93</a>	<i>Notice of manually filing deposition transcripts, and response to Ethan Allen's objections to plaintiff's exhibits</i> filed by Equal Employment Opportunity Commission. (H, D) (Entered: 02/11/2003)
02/11/2003	<a href="#">94</a>	<i>Response to defendant's objections to plaintiffs' proposed trial exhibits</i> filed by Equal Employment Opportunity Commission. (Related document(s) <a href="#">79</a> ) (H, D) (Entered: 02/11/2003)
02/11/2003	<a href="#">95</a>	<i>Deposition of Cyrilla Jordan, taken on 7/10/2000 (Complete document on file in Clerk's office - 146 pages)</i> filed by Equal Employment Opportunity Commission. (Related document(s) <a href="#">93</a> ) (H, D) (Entered: 02/11/2003)
02/11/2003	<a href="#">96</a>	<i>Deposition of Peggy A. Pobuda, taken on 11/9/2000 (Complete document on file in Clerk's office - 210 pages)</i> filed by Equal Employment Opportunity Commission. (Related document(s) <a href="#">93</a> ) (H, D) (Entered: 02/11/2003)
02/11/2003	<a href="#">97</a>	<i>Deposition of Peggy A. Pobuda, taken on 1/29/2003 (Complete document on file in Clerk's office - 114 pages)</i> filed by Equal Employment Opportunity Commission. (Related document(s) <a href="#">93</a> ) (H, D) (Entered: 02/11/2003)
02/12/2003	<a href="#">101</a>	Minutes of proceedings before Judge Kathleen M. O'Malley. Final pretrial held 2/12/2003. Further final pretrial set on 2/21/2003 at 10:30 a.m. Court ruled on numerous pending motions as outlined herein and for the reasons set forth on the record. Court reporter: George Staiduhar. (H, C) (Entered: 02/18/2003)
02/13/2003	<a href="#">98</a>	Notice of Hearing. Final Pre-Trial Conference set for 2/21/2003 at 10:30 AM at Chambers 16A. (H, C) (Entered: 02/13/2003)

02/13/2003	<a href="#">99</a>	Notice of Amendment of Exhibit and Witness List <i>of Defendant Ethen Allen Inc.</i> filed by Ethan Allen, Inc. (Harrold, Linda) Modified text on 2/14/2003 (H, D). (Entered: 02/13/2003)
02/14/2003	<a href="#">100</a>	Second Amended Exhibit List <i>by Defendant Ethen Allen Inc.</i> filed by Ethan Allen, Inc. (Armstrong, Lester) Modified text on 2/18/2003 (H, D). (Entered: 02/14/2003)
02/19/2003	<a href="#">102</a>	Attorney Appearance by Lawrence Mays filed by Lawrence Mays on behalf of Equal Employment Opportunity Commission. (Mays, Lawrence) Modified text on 2/20/2003 (H, D). (Entered: 02/19/2003)
02/25/2003	<a href="#">103</a>	NOTICE by the Court to counsel (via e mail) on 2/19/2003 re: Emanuele file. (H, C) (Entered: 02/25/2003)
02/28/2003	<a href="#">104</a>	Returned Mail; sent to Stephen Harris, returned with not deliverable as addressed. (Related documents(s) <a href="#">98</a> ) (H, D) (Entered: 02/28/2003)
03/28/2003	<a href="#">105</a>	Order closing this action; it shall be marked settled and dismissed, with prejudice, each party to bear its own cost; the Court retains jurisdiction to vacate this Order and reopen the action upon cause shown that settlement has not been completed and further litigation is necessary or to alter the terms of settlement and dismissal upon agreement of the parties. (Judge O'Malley) (M, J A) (Entered: 03/28/2003)
04/15/2003	<a href="#">106</a>	Joint Motion for order <i>to Approve and Enter A Consent Decree</i> filed by Equal Employment Opportunity Commission. (Stern, Jeffrey) (Entered: 04/15/2003)
04/25/2003	<a href="#">107</a>	Memorandum & Order signed on 4/25/2003. Plaintiff EEOC's motion in limine seeking to exclude the testimony of Erich Speckin (Related Doc # 63) was previously GRANTED on the record at a pretrial conference. Joint Motion for order approving and entering a consent decree (Related Doc # <a href="#">106</a> ) is GRANTED. Because of the importance of the issues raised in the motion in limine, and because the Court promised it would explain its reasoning, the Court herein provides an explanation of its conclusion regarding the admissibility of Mr. Speckin's expert testimony. Kathleen M. O'Malley (H, C) (Entered: 04/25/2003)
05/01/2003	<a href="#">108</a>	Consent Decree & Order entered 5/1/2003. Kathleen M. O'Malley (H, C) (Entered: 05/05/2003)
09/06/2004	<a href="#">109</a>	Motion to strike <i>Motion of Koeth, Rice &amp; Leo Co. to reveal settlement</i> filed by Equal Employment Opportunity Commission. (Pelsozy, Dale) Modified on 11/16/2004 (H, C). Motion termed; see Order filed 11/10/2004, doc [40] in 1:00CV380. (Entered: 09/06/2004)

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