

CLOSED,JURY,PROTO

**U.S. District Court
Southern District of Ohio (Cincinnati)
CIVIL DOCKET FOR CASE #: 1:06-cv-00631-SSB -TSB**

Washington v. General Motors Corporation et al
Assigned to: Judge Sandra S Beckwith
Referred to: Judge Timothy S. Black
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/22/2006
Date Terminated: 09/19/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Al Washington

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Defendant

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Defendant

Roy Pikus

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Date Filed	#	Docket Text
09/22/2006	<u>1</u>	COMPLAINT With Jury Demand filed by Plaintiff Al Washington, against Defendants General Motors Corporation, Larry Speicher, and Roy Pikus. (Filing fee \$ 350.) (48BG) (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Receipt)(sfe1,) Modified on 9/27/2006 - To edit docket text (tt1,). (Entered: 09/22/2006)

09/22/2006	<u>2</u>	Summons Issued as to General Motors Corporation, Larry Speicher, Roy Pikus. (sfe1,) (Entered: 09/22/2006)
09/22/2006		Filing fee: \$ 350, receipt number 431859 (sfe1,) (Entered: 09/25/2006)
09/25/2006		Notice of Correction re: <u>2</u> Summons Issued TO General Motor Corp. mistakenly kept by clerk. Counsel returned to reissue summons. (eh1,) (Entered: 09/25/2006)
09/25/2006	<u>3</u>	Summons Issued as to General Motors Corporation. (eh1,) (Entered: 09/25/2006)
09/28/2006	<u>4</u>	GENERAL ORDER REFERRING CASE to Magistrate Judge Timothy S. Black signed by Chief Judge Sandra S. Beckwith. (sfe1,) Modified on 9/28/2006 – To enhance text. (sfe1,). (Entered: 09/28/2006)
10/16/2006	<u>5</u>	SUMMONS Returned Executed General Motors Corporation served on 9/30/2006, answer due 10/20/2006. (Huse, William) (Entered: 10/16/2006)
10/16/2006	<u>6</u>	SUMMONS Returned Executed Larry Speicher served on 9/30/2006, answer due 10/20/2006. (Huse, William) (Entered: 10/16/2006)
10/17/2006	<u>7</u>	STIPULATION Extending Time Until 11/7/2006 To Answer, Move, or Otherwise Plead To Plaintiff's Complaint by Defendants (Glassman, Michael) Modified on 10/18/2006 – To modify docket text (tt1,). (Entered: 10/17/2006)
11/07/2006	<u>8</u>	MOTION to Change Venue to the USDC for the Northern District of Illinois by Defendants (Glassman, Michael) Modified on 11/7/2006 – To modify docket text (tt1,). (Entered: 11/07/2006)
11/07/2006	<u>9</u>	ANSWER to Complaint by Defendants; No Jury Demand (Glassman, Michael) Modified on 11/7/2006 – To modify docket text (tt1,). (Entered: 11/07/2006)
11/07/2006	<u>10</u>	RESPONSE/Memorandum in Support of <u>8</u> MOTION to Change Venue filed by Defendants (Glassman, Michael) Modified on 11/7/2006 – To modify docket text (tt1,). (Entered: 11/07/2006)
11/08/2006	<u>11</u>	NOTICE by Defendant General Motors Corporation <i>Motion For Admission Pro Hac Vice</i> (Glassman, Michael) (Entered: 11/08/2006)
11/21/2006	<u>12</u>	Certificate of Good Standing Supporting in re <u>11</u> Notice (Other) by Defendant General Motors Corporation. (Glassman, Michael) Modified on 11/24/2006 – To edit text. (sfe1,). (Entered: 11/21/2006)
11/21/2006		Filing fee: \$ 50.00, receipt number 432427 (sfe1,) (Entered: 11/27/2006)
11/22/2006	<u>13</u>	ORDER granting motion for Pro Hac Vice admission of atty. Vogel as co-counsel for deft. GMC. Signed by Judge Sandra S Beckwith on 11/22/06. (mb,) (Entered: 11/22/2006)
11/28/2006	<u>14</u>	RESPONSE in Opposition re <u>8</u> MOTION to Change Venue filed by Plaintiff (Stewart, Thomas) Modified on 11/30/2006 – To modify docket text (tt1,). (Entered: 11/28/2006)
12/11/2006	<u>15</u>	RESPONSE in Support re <u>8</u> MOTION to Change Venue filed by Defendant General Motors Corporation. (Glassman, Michael) (Entered: 12/11/2006)
01/30/2007	<u>16</u>	ORDER denying <u>8</u> Motion to Change Venue. Signed by Judge Sandra S Beckwith on 1/30/07. (mb,) (Entered: 01/30/2007)
01/30/2007	<u>17</u>	NOTICE of Deadline: Rule 26 Meeting Report due by 3/15/2007. (jl,) (Entered: 01/30/2007)
02/27/2007	<u>18</u>	NOTICE of Appearance by William Madison Huse Plaintiff Al Washington (Huse, William) (Entered: 02/27/2007)
03/15/2007	<u>19</u>	RULE 26(f) REPORT <i>filed jointly</i> by Plaintiff Al Washington, Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Huse, William) (Entered: 03/15/2007)
03/16/2007	<u>20</u>	SCHEDULING ORDER: Amended Pleadings due by 6/15/2007. Discovery due by 11/2/2007. Motions due by 11/30/2007. Final pretrial 5/08 and trial 6/08 before Judge Beckwith. Signed by Judge Timothy S. Black on 3/16/07. (jl1,) (Entered: 03/16/2007)

		03/16/2007)
03/20/2007	<u>21</u>	SCHEDULING ORDER: DDL: 11/2/07; Motions due: 11/30/07; Final Pretrial Conference set for 6/6/2008 at 09:00 AM; Trial set for 6/16/2008 at 01:00 PM. Signed by Judge Sandra S Beckwith on 3/20/07. (mb,) (Entered: 03/20/2007)
05/31/2007	22	STIPULATION (<i>Joint</i>) For Protective Order by the parties. (Glassman, Michael) Modified on 6/1/2007 – Clerk removed pdf. This document is a proposed stipulated order and should be submitted to chambers via e mail only (tt1,). (Entered: 05/31/2007)
06/01/2007		Notice of Correction re: 22 Stipulation. Clerk removed pdf. This document is a proposed stipulated order and should be submitted to chambers via e mail only. (tt1,) (Entered: 06/01/2007)
06/01/2007	<u>23</u>	PROTECTIVE ORDER. Signed by Judge Timothy S. Black on 6/1/07. (jl1,) (Entered: 06/01/2007)
08/31/2007	<u>24</u>	NOTICE to take Deposition of Plaintiff on September 27, 2007 at 9:00 a.m. by Defendants General Motors Corporation, Larry Speicher, Roy Pikus (Vogel, David) Modified docket text on 9/4/2007 (eh1,). (Entered: 08/31/2007)
10/05/2007	<u>25</u>	Joint MOTION to Continue <i>Calendar Order</i> (doc. 20) by Plaintiff Al Washington, Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Stewart, Thomas) (Entered: 10/05/2007)
10/10/2007	<u>26</u>	ORDER granting <u>25</u> Motion to Continue Dates as follows: Deadline to amend pleadings and/or add parties: 6/15/07; DDL: 1/31/08; Dispositive Motions due: 3/17/08; Mediation, with Mr. Kaiser, to be scheduled by April 2008. Signed by Judge Sandra S Beckwith on 10/10/07. (mb) (Entered: 10/10/2007)
10/10/2007	<u>27</u>	SCHEDULING ORDER: DDL: 1/31/08; Motions due: 3/17/08; Final Pretrial Conference RESET for 8/8/2008 at 02:00 PM; Trial RESET for 8/25/2008 at 01:00 PM. Signed by Judge Sandra S Beckwith on 10/10/07. (mb) (Entered: 10/10/2007)
02/05/2008	<u>28</u>	Unopposed MOTION to Continue <i>Scheduling Order</i> by Plaintiff Al Washington. (Stewart, Thomas) (Entered: 02/05/2008)
02/13/2008		NOTICE by clerk: A conference on plaintiff's motion to modify scheduling order (Doc. 28) is scheduled for Feb. 27, 2008 at 2:00 PM before CJ Beckwith in Room 810. Clients must also be present. (mb) (Entered: 02/13/2008)
02/27/2008		Minute Entry: Conference on plaintiff's motion to modify scheduling order held before Chief Judge Sandra S Beckwith. (Court Reporter MA Ranz (Official).) (mb) (Entered: 02/28/2008)
02/28/2008	<u>29</u>	ORDER granting <u>28</u> Motion to Continue Dates as follows: DDL: 4/30/08; Plt's expert reports due: 2/29/08, def't's due: 3/31/08; Motions due: 6/16/08; FPTC: 11/24/08 at 2:00 PM; Trial set for 12/8/08 at 1:00 PM. Signed by Chief Judge Sandra S Beckwith on 2/28/08. (mb) (Entered: 02/28/2008)
02/28/2008	<u>30</u>	NOTICE by clerk confirming new dates set. (mb) (Entered: 02/28/2008)
03/11/2008	31	Notice of Mediation Conference: Conference to be held in Room 331, 100 E. Fifth Street, Cincinnati, Ohio on 3/25/2008 at 10:00 AM. (rsk,) (Entered: 03/11/2008)
03/19/2008	<u>32</u>	NOTICE OF DESIGNATION FOR SETTLEMENT WEEK OF APRIL 28, 2008. Parties to reply by March 31, 2008. Signed by Michael R. Barrett. (mr1,) (Entered: 03/19/2008)
04/04/2008		NOTICE: This case is RELEASED from participation in the April 2008 Settlement Week. (jl1,) (Entered: 04/04/2008)
04/25/2008	<u>33</u>	MOTION for Leave to Appear Pro Hac Vice of Shelley I. Ericsson (Filing fee \$ 200) by Defendant General Motors Corporation. (Glassman, Michael) (Additional attachment(s) added on 5/13/2008: # <u>1</u> Filing Fee Receipt) (mtw1,). (Entered: 04/25/2008)

05/13/2008	<u>34</u>	NOTICE of Filing Certificate of Good Standing re <u>33</u> MOTION for Leave to Appear Pro Hac Vice of Shelley I. Ericsson by Defendant General Motors Corporation) (Attachments: # <u>1</u> Exhibit Certificate of Good Standing) (Glassman, Michael) Modified docket text on 5/14/2008 (eh1,). (Entered: 05/13/2008)
05/13/2008		Filing fee of \$ 200.00, receipt number CIN001899 received re: Doc <u>33</u> – Motion for Admission of Shelley I. Ericsson. (mtw1) Modified docket text on 5/14/2008 (eh1,). (Entered: 05/13/2008)
05/15/2008	<u>35</u>	ORDER granting <u>33</u> Motion for Leave for atty. Shelley Ericsson to Appear Pro Hac Vice as co-counsel for defendants. Signed by Chief Judge Sandra S Beckwith on 5/15/08. (mb) (Entered: 05/15/2008)
05/15/2008	<u>36</u>	MOTION to Compel <i>Discovery, Request for Expedited Hearing, Memorandum In Support and Local Rule 37.2 Certification of Counsel</i> by Plaintiff Al Washington. (Huse, William) (Entered: 05/15/2008)
05/16/2008	<u>37</u>	MOTION to Strike <u>36</u> MOTION to Compel <i>Discovery, Request for Expedited Hearing, Memorandum In Support and Local Rule 37.2 Certification of Counsel</i> by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. Responses due by 6/5/2008 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D) (Vogel, David) (Entered: 05/16/2008)
05/23/2008	<u>38</u>	RESPONSE in Opposition re <u>37</u> MOTION to Strike <u>36</u> MOTION to Compel <i>Discovery, Request for Expedited Hearing, Memorandum In Support and Local Rule 37.2 Certification of Counsel</i> MOTION to Strike <u>36</u> MOTION to Compel <i>Discovery, Request for Expedited Hearing, Memorandum In Support and Local Rule 37.2 Certification of Counsel</i> filed by Plaintiff Al Washington. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G) (Huse, William) (Entered: 05/23/2008)
06/03/2008	<u>39</u>	Reply to RESPONSE to Motion re <u>37</u> MOTION to Strike <u>36</u> MOTION to Compel filed by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7) (Vogel, David) Modified docket text on 6/4/2008 (eh1,). (Entered: 06/03/2008)
06/05/2008	<u>40</u>	RESPONSE to Motion re <u>36</u> MOTION to Compel <i>Discovery, Request for Expedited Hearing, Memorandum In Support and Local Rule 37.2 Certification of Counsel (Defendants' Brief in Opposition to Plaintiff's Motion to Compel Discovery)</i> filed by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Vogel, David) (Entered: 06/05/2008)
06/10/2008	<u>41</u>	Unopposed MOTION for Extension of of Dispositive Motion Deadline by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. New date requested 6/24/2008. (Attachments: # <u>1</u> Text of Proposed Order) (Vogel, David) Modified docket text on 6/11/2008 (eh1,). (Entered: 06/10/2008)
06/11/2008		NOTATION ORDER granting <u>41</u> Defendants' Motion for Extension of Time until 6/24/08 to file dispositive motion. Signed by Chief Judge Sandra S Beckwith on 6/11/08. (mb) (Entered: 06/11/2008)
06/16/2008	<u>42</u>	NOTICE of Hearing: Discovery Hearing set for 6/20/2008 01:45 PM before Magistrate Judge Timothy S. Black on all pending discovery motions. Counsel to call 513-564-7260 and remain on the line until the Court joins the conference. (j11,) (Entered: 06/16/2008)
06/20/2008		Minute Entry for proceedings held before Magistrate Judge Timothy S. Black: Magistrate Judge Timothy S. Black initiated a hearing by telephone on June 20, 2008 at 1:45 p.m. to address Plaintiffs Motion to Compel (doc. 36) and all responsive memoranda (docs. 37, 38, 39, &40). However, as a result of ongoing settlement discussions between the parties, counsel moved jointly to continue the dispositive motion deadline and the hearing on the discovery disputes until July 2, 2008, which extensions the Court granted. The short extension of the dispositive motion deadline does not impact the date for the final pretrial conference nor the trial date. The hearing on the discovery disputes is hereby continued to July 2, 2008 at 1:00 p.m. Counsel shall timely call 513.564.7260 to participate. (Court Reporter

		Jodi Perkins.) (jl1,) (Entered: 06/20/2008)
06/23/2008		Set/Reset Deadlines: Dispositive Motions due by 7/2/2008. (jl1,) (Entered: 06/23/2008)
07/01/2008	<u>43</u>	MOTION for Sanctions <i>and Adverse Inference Instructions</i> by Plaintiff AI Washington. (Attachments: # <u>1</u> Exhibit A) (Huse, William) (Entered: 07/01/2008)
07/02/2008	<u>44</u>	MOTION for Summary Judgment <i>and Memorandum in Support of Motion for Summary Judgment</i> by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. Responses due by 7/28/2008 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H) (Vogel, David) Modified on 7/31/2008 (eh1,). (Entered: 07/02/2008)
07/03/2008	<u>45</u>	ORDER Denying as moot plaintiff's <u>36</u> Motion to Compel; and also denying defendant's <u>37</u> Motion to Strike plaintiff's motion to compel. Signed by Magistrate Judge Timothy S. Black on 7/3/2008. (art,) (Entered: 07/03/2008)
07/22/2008	<u>46</u>	RESPONSE in Opposition re <u>43</u> MOTION for Sanctions <i>and Adverse Inference Instructions</i> filed by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Attachments: # <u>1</u> Exhibit Declarations of O.J. Adkins, Larry Speicher and Roy Pikus) (Vogel, David) (Entered: 07/22/2008)
07/26/2008	<u>47</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>44</u> MOTION for Summary Judgment <i>and Memorandum in Support of Motion for Summary Judgment</i> New date requested 8/4/2008. by Plaintiff AI Washington. (Stewart, Thomas) (Entered: 07/26/2008)
07/29/2008		NOTATION ORDER granting <u>47</u> Plaintiff's Motion for Extension of Time until 8/4/08 to respond to defendant's motion for summary judgment. Signed by Chief Judge Sandra S Beckwith on 7/29/08. (mb) (Entered: 07/29/2008)
08/04/2008	<u>48</u>	RESPONSE in Opposition re <u>44</u> MOTION for Summary Judgment <i>and Memorandum in Support of Motion for Summary Judgment and Plaintiff's Cross Motion for Partial Summary Judgment</i> filed by Plaintiff AI Washington. (Attachments: # <u>1</u> Exhibit A – Washington Deposition, # <u>2</u> Exhibit B – Washington Affidavit, # <u>3</u> Exhibit C – GM Salary Policy, # <u>4</u> Exhibit D– GM Salary Document, # <u>5</u> Exhibit E– Washington Compensation Report, # <u>6</u> Exhibit F– Washington 1999 PMP, # <u>7</u> Exhibit G – Washington 2000 PMP, # <u>8</u> Exhibit H – Washington 2001 PMP, # <u>9</u> Exhibit I – Washington 2002 PMP, # <u>10</u> Exhibit J – GM 2002 Sales Document, # <u>11</u> Exhibit K – Pikus Deposition, # <u>12</u> Exhibit L – Achiever's Bonus, # <u>13</u> Exhibit M – Customer Praise, # <u>14</u> Exhibit N – Speicher Deposition, # <u>15</u> Exhibit O – June 2005 Sales Data, # <u>16</u> Exhibit P – August 2005 Sales Data, # <u>17</u> Exhibit Q – October 13, 2005 Memo, # <u>18</u> Exhibit R – Hearn Deposition, # <u>19</u> Exhibit S – Expense Reporting Policy, # <u>20</u> Exhibit T – November 2005 Sales Data, # <u>21</u> Exhibit December 7, 2005 Memorandum, # <u>22</u> Exhibit V – Key Elements of FAEs, # <u>23</u> Exhibit W – Key Elements of CSM, # <u>24</u> Exhibit X – Defendant's Responses to 2nd Interrogatories, # <u>25</u> Exhibit Y – GM PMP Policy, # <u>26</u> Exhibit Z – Defendants' Response to 1st Interrogatories, # <u>27</u> Supplement Unpublished Cited Cases) (Huse, William) (Entered: 08/04/2008)
08/05/2008	<u>49</u>	Cross MOTION for Partial Summary Judgment <i>and Response in Opposition to Defendants' Motion for Summary Judgment</i> by Plaintiff AI Washington. Responses due by 8/29/2008 (Attachments: # <u>1</u> Exhibit A – Washington Deposition, # <u>2</u> Exhibit B – Washington Affidavit, # <u>3</u> Exhibit C – GM Salary Policy, # <u>4</u> Exhibit D – GM Salary Document, # <u>5</u> Exhibit E – Washington Compensation Report, # <u>6</u> Exhibit F – Washington 1999 PMP, # <u>7</u> Exhibit G – Washington 2000 PMP, # <u>8</u> Exhibit H – Washington 2001 PMP, # <u>9</u> Exhibit I – Washington 2002 PMP, # <u>10</u> Exhibit J – GM 2002 Sales Document, # <u>11</u> Exhibit K – Pikus Deposition, # <u>12</u> Exhibit L – Achiever's Bonus, # <u>13</u> Exhibit M – Customer Praise, # <u>14</u> Exhibit N – Speicher Deposition, # <u>15</u> Exhibit O – June 2005 Sales Data, # <u>16</u> Exhibit P – August 2005 Sales Data, # <u>17</u> Exhibit Q – October 13, 2005 Memo, # <u>18</u> Exhibit R – Hearn Deposition, # <u>19</u> Exhibit S – Expense Reporting Policy, # <u>20</u> Exhibit T – November 2005 Sales Data, # <u>21</u> Exhibit U – December 7, 2005 Memorandum, # <u>22</u> Exhibit V – Key Elements of FAEs, # <u>23</u> Exhibit W – Key Elements of CSMs, # <u>24</u> Exhibit X – Defendants' Responses to 2nd Interrogatories, # <u>25</u> Exhibit Y – GM PMP Policy, # <u>26</u> Exhibit Z – Defendants' Response to 1st Interrogatories, #

		<u>27</u> Supplement Unpublished Cited Cases) (Cioffi, Michael) (Entered: 08/05/2008)
08/05/2008	<u>50</u>	REPLY to Response to Motion re <u>43</u> MOTION for Sanctions <i>and Adverse Inference Instructions</i> filed by Plaintiff AI Washington. (Attachments: # <u>1</u> Exhibit A – GM PMP policy, # <u>2</u> Errata B – Pikus deposition, # <u>3</u> Exhibit C – Speicher deposition, # <u>4</u> Exhibit D – Cryer deposition, # <u>5</u> Exhibit E – GM Record Retention Schedule, # <u>6</u> Exhibit F – Worldwide Basketball unreported opinion, # <u>7</u> Exhibit G – Sauer unreported opinion, # <u>8</u> Exhibit H – Permasteelisa unreported opinion) (Cioffi, Michael) (Entered: 08/05/2008)
08/05/2008		Notice of Correction re: <u>48</u> Response in Opposition to Motion included a Cross Motion for Summary Judgment. Clerk contacted counsel and advised that the document should be filed an additional time as a Motion. Counsel refiled as <u>49</u> Cross MOTION for Partial Summary Judgment <i>and Response in Opposition to Defendants' Motion for Summary Judgment</i> , (eh1,) (Entered: 08/06/2008)
08/13/2008	<u>51</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>44</u> MOTION for Summary Judgment <i>and Memorandum in Support of Motion for Summary Judgment</i> New date requested 8/28/2008. by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. (Vogel, David) (Entered: 08/13/2008)
08/14/2008		NOTATION ORDER granting <u>51</u> Defendants' Motion for Extension of Time until 8/28/08 to File Reply in Support of Motion for S.J. Signed by Chief Judge Sandra S Beckwith on 8/14/08. (mb) (Entered: 08/14/2008)
08/28/2008	<u>52</u>	Unopposed MOTION for Extension of Time to File Reply in Support of <u>44</u> Motion for Summary Judgment and Response in Opposition to <u>49</u> Cross MOTION for Partial Summary Judgment by Defendants General Motors Corporation, Larry Speicher, Roy Pikus. New date requested 09/11/2008. (Vogel, David) Modified docket text on 8/29/2008 (eh1,). (Entered: 08/28/2008)
09/02/2008		NOTATION ORDER granting <u>52</u> Defendants' Motion for Extension of Time until 9/11/08 to file their reply in support of S.J. and to file their response in opposition to plaintiff's motion for S.J. Signed by Chief Judge Sandra S Beckwith on 9/2/08. (mb) (Entered: 09/02/2008)
09/19/2008	<u>53</u>	ORDER DISMISSING CASE – Case reported settled. Signed by Chief Judge Sandra S Beckwith on 9/19/08. (mb) (Entered: 09/19/2008)