

**U.S. District Court
Northern District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:00-cv-00301-DCN**

Cleve Firefighters, et al v. Cleveland, City of
Assigned to: Judge Donald C. Nugent
Demand: \$0
Case in other court: 6th Circuit, 09-04208
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 02/01/2000
Date Terminated: 01/08/2013
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

**Cleveland Firefighters for Fair Hiring
Practices**

represented by **Garnett R. Meador**
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Date Filed	#	Docket Text
02/01/2000		FILING FEE: on 2/1/00 in the amount of \$ 150.00, receipt # 614323. (B,BA A) (Entered: 02/01/2000)
02/01/2000	1	COMPLAINT; jury demand (Service: summons issd, magistrate consent form issd) (13 pgs + 20 exh pgs) (M,EJ) (Entered: 02/02/2000)
02/01/2000		ASSIGNMENT OF MAGISTRATE JUDGE pursuant to Local Rule 3.1, Assignment of Cases. In the event of referral this case will be referred to Mag. Judge Jack B. Streepy . 1 pg (M,EJ) (Entered: 02/02/2000)
02/01/2000	2	CIS filed by pltfs. ECF suitable by W. Craig Bashein Recommended Track: standard (1 pg) (M,EJ) (Entered: 02/02/2000)
02/08/2000	3	CONSENT TO TRANSFER AND ORDER of transfer: Case reassigned to Judge John M. Manos as related to 73cv330 (issued) (1 pg) Judge Patricia A. Gaughan and Judge John M. Manos [EOD Date: 2/11/00] (M,EJ) (Entered: 02/11/2000)
02/16/2000	4	FIRST AMENDED CLASS ACTION COMPLAINT by plaintiffs; jury demand [1-1]; adding Bill Ruck (14 pgs) (E,P) (Entered: 02/17/2000)
02/22/2000	5	ANSWER to Complaint by defendant; jury demand (9 pgs) (E,P) (Entered: 02/24/2000)
02/25/2000	6	MOTION by pltf for leave to file amd complt, w/exhibits, instanter (2 pgs + amd complt 44 pgs) (M,EJ) (Entered: 02/28/2000)
02/27/2000	23	JOINT MOTION by parties for continuance of time to negotiate terms of new training component of 2nd amd consent decree (3 pgs) (M,EJ) (Entered: 12/28/2000)
03/08/2000		MARGINAL ENTRY ORDER: granting motion by pltf for leave to file amd complt, w/exhibits, instanter [6-1] (issued on 3/13/00) Judge John M. Manos [EOD Date: 3/13/00] (M,EJ) (Entered: 03/13/2000)
03/09/2000	8	FIRST AMENDED COMPLAINT by pltf w/exhibits; jury demand [4-1] (14 pgs + 20 exh pgs) (M,EJ) (Entered: 03/13/2000)
03/10/2000	7	NOTICE of settlement conf set at 1:30 on 3/28/00 in rm 3301 before Judge Manos (issued) (1 pg) (M,EJ) (Entered: 03/13/2000)
03/22/2000	9	ANSWER to 1st Amended Class Action Complaint by defendant; jury demand (10 pgs) (M,EJ) (Entered: 03/24/2000)
03/24/2000	10	NOTICT OF ATTORNEY APPEARANCE on behalf of dft City of Cleveland by attys Robert P. Duvin and Robert M. Wolff of Duvin, Cahn & Hutton (3 pgs) (M,EJ) (Entered: 03/27/2000)

03/30/2000	11	NOTICE OF ATTORNEY APPEARANCE on behalf of deflt City of Cleveland as additional counsel by atty Kenneth D. Schwartz (3 pgs) (M,EJ) (Entered: 03/30/2000)
04/05/2000	12	MINUTES of proceedings: before Judge John M. Manos; status conf held 4/5/00; ptys to meet w/in 10 days & to rpt back to Ct w/in 20 days; conf is set for 5/5/00 at 10:00 a.m. (issued) (1 pg) (H,D) (Entered: 04/07/2000)
04/05/2000	13	NOTICE of status conf scheduled at 10:00 a.m. on 5/5/00 in room 3301 Key Tower before Judge John M. Manos. (issued) (1 pg) (H,D) (Entered: 04/07/2000)
04/27/2000	14	JOINT MOTION by parties for 1 day ext of time until 4/28/00 to file their confidential settlement reports (2 pgs) (M,EJ) (Entered: 04/28/2000)
04/28/2000	15	MOTION by dft City of Cleveland on behalf of all parties other than the movant for ext of time until 5/2/00 for these parties to file their confidential settlement reports (3 pgs) (M,EJ) (Entered: 05/01/2000)
05/02/2000		MARGINAL ENTRY ORDER: finding the motion by parties for 1 day ext of time until 4/28/00 to file their confidential settlement reports [14-1] moot (issued on 5/3/00) Judge John M. Manos [EOD Date: 5/3/00] (M,EJ) (Entered: 05/03/2000)
05/02/2000		MARGINAL ENTRY ORDER: finding the motion by dft City of Cleveland on behalf of all parties other than the movant for ext of time until 5/2/00 for these parties to file their confidential settlement reports [15-1] moot (issued on 5/3/00) Judge John M. Manos [EOD Date: 5/3/00] (M,EJ) (Entered: 05/03/2000)
06/13/2000	16	MINUTES of proceedings before Judge John M. Manos: Court reporter n/a settlement conf held; a conf set 1:30 on 7/14/00 (also in C73-330) (1 pg) (M,EJ) (Entered: 06/15/2000)
06/13/2000	17	NOTICE of conference on 7/14/00 1:30, before Judge Manos in rm 3301 (issued) (1 pg) (M,EJ) (Entered: 06/15/2000)
07/14/2000	18	NOTICE of status conf at 1:30 on 8/3/00 in rm 3301 before Judge Manos (issued) (1 pg) (M,EJ) (Entered: 07/20/2000)
09/15/2000	19	NOTICE of settlement conf set at 10:00 on 9/28/00 in rm 3301 before Judge John M. Manos (w/1:73cv330) (issued) (1 pg) (M,EJ) (Entered: 09/18/2000)
09/29/2000	20	CONSENT ORDER ng extension of eligible list for two years from 9/28/2000 (w/1:73cv330). (issued) (4 pgs) Judge John M. Manos [EOD Date: 10/4/00] (M,EJ) (Entered: 10/04/2000)
09/29/2000	21	CONSENT ORDER regarding regrading of Nov. '98 examination (w/1:73cv330) (issued) (4 pgs) Judge John M. Manos [EOD Date: 10/4/00] (M,EJ) (Entered: 10/04/2000)
09/29/2000	22	SECOND AMENDED CONSENT DECREE (1st in 1:73cv330 approved on 1/17/77): amended decree is further modified 1) Headen decree shall remain in full force and effect until the City of Cleveland Dept of Public Safety, Div of Fire reaches a 33 1/3% minority makeup or until the city has established and hired cadets from three eligible lists...whichever occurs first... 2) parties agree that they are committed to negotiating and implementing a plan for "reinvigoration of the prior recruitment and training efforts" for the entry level position of fire fighter... 3) for purposes of the 1999 Eligible List, the written component shall be rescored so that a passing score on the written exam shall be 26.5 or two standard deviations below the mean score... 4) City agrees to pay attys' fees and expenses to counsel for the pltf class in the sum of \$40,000.; matter of fees and expenses for the Vanguard's is reserved for consideration by the court upon application... 5) existing method of assigning seniority to persons on the eligible list shall be continued during the life of this 2nd amended consent decree 6) ... the Sec of the Civil Service Commission will notify, in advance, designated representatives of the Cleveland Firefighters for Fair Hiring Practices, Local 93 and the Vanguard's, of the date and location of the Commission mtg regarding approval of an eligibility list for firefighters pursuant to this 2nd amended consent decree... 7) the City is committed to provide vigorous enforcement of the Civil Service Rules in regard to the award of residency points for applicants 8) by no later than 1/1/2008, the City shall have undertaken a reevaluation of the entrance exam process... 9) pltf class will be provided ntc of the above agreement by court order 10) this agreement is the result of language

		submitted by all parties; proposed drafts or rejected proposals may not be used to guide the future interpretation or construction of this 2nd amend consent decree; court shall retain continuing jurisdiction over this 2nd amended consent decree (12 pgs + 21 exh pgs) Judge John M. Manos [EOD Date: 10/4/00] (M,EJ) (Entered: 10/04/2000)
01/04/2001		MARGINAL ENTRY ORDER: granting motion by parties for continuance of time to negotiate terms of new training component of 2nd amd consent decree [23-1] (issued on 1/4/01) Judge John M. Manos [EOD Date: 1/4/01] (K,V) (Entered: 01/04/2001)
04/06/2001	24	STIPULATION and ORDER granting: pltfs & deft a 90 day ext of time in which to complete negotiations on recruitment & training goals required by the consent decree. (3 pgs) Judge John M. Manos [EOD Date: 4/9/01] (B,B) (Entered: 04/09/2001)
01/14/2002	25	STIPULATION for extension of time until 3/4/02 to complete negotiations on recruitment and training goals required by the consent decree. (2 pgs) (M,EJ) (Entered: 01/15/2002)
01/29/2002		MARGINAL ENTRY ORDER: granting stipulation for ext of time until 3/4/02 to complete negotiations on recruitment and training goals required by the consent decree [25-1] (issued on 2/1/02) Judge John M. Manos [EOD Date: 2/1/02] (E,P) (Entered: 02/01/2002)
03/05/2002	26	SECOND STIPULATION for ext of time until 4/6/02 to complete negotiations for agreed upon recruiting and training goals. (2 pgs) (M,EJ) (Entered: 03/06/2002)
03/15/2002		MARGINAL ENTRY ORDER granting 2nd stipulation for ext of time to complete negotiations on recruitment & training goals. [26-1] (issued on 3/15/02) Judge John M. Manos [EOD Date: 3/15/02] (H,D) (Entered: 03/15/2002)
04/30/2002	27	NOTICE of conference at 10:00 on 5/22/02 in rm 3301, Key Tower, before Judge Manos (issued) (1 pgs) (M,EJ) (Entered: 05/02/2002)
07/24/2003	28	BRIEF by pltfs to exclude Vanguard's direct entry proposal from the high school education plan (13 pgs) (B,B) (Entered: 07/25/2003)
07/25/2003	29	BRIEF by dft in opp to inclusion of direct entry requirement in negotiated plan (9 pgs + 6 attachment pgs) (B,B) (Entered: 07/28/2003)
07/25/2003	30	MEMORANDUM of law by non-pty Vanguard's in supp of the "direct entry" element of the school-to-work program (11 pgs + 13 exh pgs) (B,B) (Entered: 07/28/2003)
07/25/2003	31	EXHIBIT B by non-pty Vanguard's to its memo of law in supp of the "direct entry" element of the school-to-work program (2 pgs + 68 attachment pgs) (B,B) (Entered: 07/28/2003)
08/19/2003	32	POST-JUDGMENT MOTION by pty in interest Vanguard's for lv to file reply memo (rply memo attached) (2 pgs + 8 attachment pgs) (B,B) (Entered: 08/20/2003)
03/04/2004	<u>33</u>	Agreed Entry and Order pursuant to the second amended consent decree. Signed by Judge John M. Manos on 3/4/04. (Attachments: # <u>1</u> Plan for reinvigorated recruitment and training efforts)(C, B) (Entered: 03/05/2004)
12/16/2004	<u>34</u>	Notice of Hearing: Status Conference set for 1/11/2005 at 01:00 PM in Chambers 16B before Hon. John M. Manos. (S, DJ) (Entered: 12/16/2004)
12/27/2004	<u>35</u>	Returned Mail; Notice of Status conference; sent to Garnett R. Meador and returned with notice of unable to forward. Related document(s) <u>34</u> . (H, D) (Entered: 12/27/2004)
01/11/2005	<u>36</u>	Minutes of proceedings. In Chambers Conference held on 1/11/05 before Judge John M. Manos. Within twenty (20) days, all parties shall file briefs detailing their respective positions regarding the education programs at issue. The parties have five (5) days thereafter to reply. (D, L) (Entered: 01/13/2005)
01/26/2005	<u>37</u>	Position Brief <i>Regarding the Education Programs at Issue</i> filed by Cleveland Firefighters, Local 93 IAFF. Related document(s) <u>36</u> . (Attachments: # <u>1</u> Affidavit of Robert Fisher # <u>2</u> Exhibits 1-5) (Diemert, Jr., Joseph) Modified text 1/31/2005 (C, K A). (Entered: 01/26/2005)

01/31/2005	<u>38</u>	Status Report on Compliance with Second Amended Consent Decree filed by Cleveland, City of. (Attachments: # <u>1</u> Letter # <u>2</u> Letter # <u>3</u> Letter) (Kordeleski, Kathleen) Modified text 9/26/2007 (C, K). (Entered: 01/31/2005)
01/31/2005	<u>39</u>	Status Report filed by Vanguard's of Cleveland. (Stege, Jr., Edward) (Entered: 01/31/2005)
02/02/2005	<u>40</u>	Motion for extension of time until February 4, 2005 to File Response to Local 93 Objections filed by Cleveland, City of. (Kordeleski, Kathleen) (Entered: 02/02/2005)
02/04/2005	<u>41</u>	Brief in Response to Objections of Local 93 filed by City of Cleveland. (Related document # <u>37</u>) (Kordeleski, Kathleen) Modified on 2/7/2005 (H, D). (Entered: 02/04/2005)
02/04/2005	<u>42</u>	Reply to Submission of Vanguard's of Cleveland filed by Cleveland Firefighters, Local 93 IAFF. Related document(s) <u>39</u> . (Diemert, Jr., Joseph) Modified on 2/7/2005 (H, D). (Entered: 02/04/2005)
04/05/2005		Order (non-document) mootng Vanguard's Motion for leave to file reply(Related Doc # 32). Entered by Judge John M. Manos on 4/5/05. (G, Y.) Modified text 4/6/2005 (C, K A). (Entered: 04/05/2005)
01/24/2007	<u>43</u>	Address Change Notice by Edward R. Stege, Jr filed by on behalf of Vanguard's of Cleveland. (G,YJ) (Entered: 01/24/2007)
09/26/2008	<u>44</u>	Motion for extension of time To Establish Two Fire Eligibility Lists until September 2012 filed by Defendant Cleveland, City of. Related document(s) 22 . (Attachments: # <u>1</u> Exhibit A: Offer of Employment Letter, # <u>2</u> Exhibit B: 2001 Notification Letter preserving place in Academy, # <u>3</u> Exhibit C: OP&F webpage on DROP Program, # <u>4</u> Exhibit D: Letter from OP&F on DROP Participants, # <u>5</u> Exhibit E: Letter from Mayor to Union President, # <u>6</u> Exhibit F: Fire Separation Lists 2004-07, # <u>7</u> Exhibit G: DRAFT of Recruitment Project Director Posting, # <u>8</u> Exhibit H: May 2008 Letter of Interest)(Gibbons, Kevin) Modified docket text on 9/29/2008 (R,N). (Entered: 09/26/2008)
09/29/2008	<u>45</u>	Motion for Extend Terms of Second Amended Consent Decree filed by 3rd Party Plaintiff Vanguard's of Cleveland. (Attachments: # <u>1</u> Exhibit Second Amended Consent Decree)(Stege, E.) (Entered: 09/29/2008)
09/29/2008		Judge Donald C. Nugent assigned to case. Hon. John M. Manos terminated. (R,N) (Entered: 09/30/2008)
10/03/2008		Notice (non-document)of Status Conference set for 10/14/2008 09:00 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 10/03/2008)
10/07/2008	<u>46</u>	Attorney Appearance by Bradric T. Bryan filed by on behalf of Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) (Entered: 10/07/2008)
10/07/2008	<u>47</u>	Motion for extension of time until October 24, 2008 to file response to City and Vanguard's motions to extend the Second Amended Consent Decree filed by Plaintiff Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) (Entered: 10/07/2008)
10/07/2008	<u>48</u>	Notice of withdrawal of counsel filed by Cleveland, City of. (C,B) (Entered: 10/10/2008)
10/13/2008	<u>49</u>	Notice of Withdrawal of Counsel of Attorneys W. Craig Bashein and Paul W. Flowers filed by Cleveland Firefighters for Fair Hiring Practices. (Bashein, W.) Modified docket text on 10/15/2008 (R,N). (Entered: 10/13/2008)
10/14/2008		Notice (non-document)of Status Conference re-set for 11/7/2008 09:00 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 10/14/2008)
10/15/2008		Order [non-document]granting <u>47</u> Motion for Extension of Time until October 24, 2008 to file response to City and Vanguard's motions to extend the Second Amended Consent Decree. Judge Donald C. Nugent (R,JM) (Entered: 10/15/2008)
10/24/2008	<u>50</u>	Response to City's Petition for extension of time to comply with Headen Decree and Vanguard's Motion to extend the terms of the Second Amended Decree <u>44</u> , <u>45</u> filed by Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) Modified docket text

		on 10/29/2008 (R,N). (Entered: 10/24/2008)
10/27/2008	<u>51</u>	Motion by Subodh Chandra to withdraw as attorney filed by Defendant Cleveland, City of. (Attachments: # <u>1</u> Exhibit 1)(Chandra, Subodh) Modified document description on 10/29/2008 (R,N). (Entered: 10/27/2008)
11/05/2008		Order [non-document]granting Motion to withdraw as attorney, attorney Subodh Chandra removed from case. (Related Doc # <u>51</u>)Judge Donald C. Nugent(R,JM) (Entered: 11/05/2008)
11/07/2008	<u>52</u>	Minutes of proceedings before Judge Donald C. Nugent of Status Conference held. Next Status Conference set for 1/15/2009 09:30 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 11/07/2008)
12/31/2008	<u>53</u>	Amended Response to <u>45 Motion</u> for Extend Terms of Second Amended Consent Decree, <u>44 Motion</u> for extension of To Establish Two Fire Eligibility Lists until September 2012 filed by Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) Modified docket text on 1/5/2009 (R,N). (Entered: 12/31/2008)
01/07/2009	<u>54</u>	Order: The status conference set for 1/15/2009 has been re-set for 2/17/2009 at 1:00 PM in Courtroom 15A before Judge Donald C. Nugent. Signed by Judge Donald C. Nugent on 1/7/09. (B,IE) (Entered: 01/07/2009)
03/06/2009	<u>55</u>	Notice of Status Conference set for 4/15/2009 at 10:30 AM in Courtroom 15A before Judge Donald C. Nugent. (B,IE) (Entered: 03/06/2009)
04/16/2009	<u>56</u>	Minutes of proceedings before Judge Donald C. Nugent of Status Conference held. Parties working on a resolution. Next Status Conference set for 5/1/2009 10:00 AM in Chambers 15A before Judge Donald C. Nugent. Time: 45 min. (R,JM) (Entered: 04/16/2009)
04/28/2009		Notice (non-document)of STATUS CONFERENCE RE-SCHEDULED TO THURSDAY, APRIL 30, 2009 AT 11:00 A.M. in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 04/28/2009)
04/30/2009	<u>57</u>	Attorney Appearance by Daniel A. Powell filed by on behalf of Cleveland Firefighters, Local 93 IAFF. (Powell, Daniel) (Entered: 04/30/2009)
04/30/2009	<u>58</u>	Minutes of proceedings before Judge Donald C. Nugent. Status Conference held and all counsel on cases present on 4/30/09. This case was combined with Case No. 73cv330. As of September 2008, the Second Amended Consent Decree has expired. Both City and Vanguards filed Motions to Extend 2nd Amended Consent Decree. Cleveland Firefighters originally filed a case in 2000 to terminate the 1973 1st Amended Consent Decree. Three parties agreed to 2nd Amended Consent Decree and now Cleveland Firefighters oppose any extension. Motion Hearing set for 5/28/2009 at 10:00 AM in Courtroom 15A before Judge Donald C. Nugent. (Court Reporter: None) Time: 45 minutes. (B,IE) (Entered: 04/30/2009)
05/26/2009	<u>59</u>	Memorandum In Support of <u>45 Motion</u> for Extend Terms of Second Amended Consent Decree filed by Vanguards of Cleveland. (Stege, E.) (Entered: 05/26/2009)
05/27/2009	<u>60</u>	Supplemental Memorandum In Support of <u>45 Motion</u> for Extend Terms of Second Amended Consent Decree filed by Vanguards of Cleveland. (Stege, E.) (Entered: 05/27/2009)
05/28/2009	<u>61</u>	Minutes of proceedings before Judge Donald C. Nugent of hearing held on Application to extend the 2nd Amended Consent Decree. Witnesses called and exhibits admitted. (Court Reporter: Judy Gage.)Time: 1 hour. (R,JM) (Entered: 05/28/2009)
05/30/2009	<u>62</u>	Transcript of Hearing on Motion held on May 28, 2009 before Judge Donald C. Nugent. To obtain a bound copy of this transcript please contact court reporter Judith Gage at 216-357-7238. [63 pages] Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties requesting that privacy information be redacted must file a notice of intent to redact with the court by 6/9/2009. Redaction Request due 6/22/2009. Redacted Transcript Deadline set for 6/30/2009. Release of Transcript Restriction set for

		8/28/2009. (G,Ju) (Entered: 05/30/2009)
06/08/2009	<u>63</u>	Post Memorandum In Support of <u>45 Motion</u> for Extend Terms of Second Amended Consent Decree <i>Paragraph One</i> , with attached stipulated order, filed by Vanguard of Cleveland. (Stege, E.) Modified docket text on 6/9/2009 (R,N). (Entered: 06/08/2009)
06/11/2009	<u>64</u>	Response to <u>45 Motion</u> for Extend Terms of Second Amended Consent Decree, <u>44 Motion</u> for extension of To Establish Two Fire Eligibility Lists until September 2012 <i>Post-Hearing Memorandum</i> filed by Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) (Entered: 06/11/2009)
06/11/2009	<u>65</u>	Memorandum In Support of <u>44 Motion</u> for extension of To Establish Two Fire Eligibility Lists until September 2012 <i>Post-Hearing Brief</i> filed by Cleveland, City of. (Gibbons, Kevin) (Entered: 06/11/2009)
06/12/2009	<u>66</u>	Notice of Status Conference set for 6/18/2009 at 08:00 AM in Courtroom 15A before Judge Donald C. Nugent. (E,P) (Entered: 06/12/2009)
06/16/2009		Notice (non-document) of RE-SCHEDULED Status Conference set for 6/24/2009 at 08:00 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 06/16/2009)
06/16/2009	<u>67</u>	Motion to continue <i>Status Conference</i> scheduled for 6/24/09 filed by Defendant Cleveland, City of. Related document(s) <u>66</u> . (Attachments: # <u>1</u> Exhibit A: 8th District Docket)(Gibbons, Kevin) Modified on 6/17/2009 (R,N). (Entered: 06/16/2009)
06/23/2009		Order [non-document]granting Motion to continue (Related Doc # <u>67</u>) Status Conference that was set for 6/24/2009 at 08:00 AM is now RE-SCHEDULED FOR Thursday, June 25, 2009 at 8:00 a.m.. in Chambers 15A before Judge Donald C. Nugent(R,JM) Modified on 6/23/2009 (R,JM). (Entered: 06/23/2009)
06/29/2009	<u>68</u>	Minutes of proceedings before Judge Donald C. Nugent of Status conference held and all counsel present. Parties have submitted a proposed agreed extension to 2nd Amended Consent Decree. Court orally indicated that such proposal was not acceptable and any new proposal due on or before 7/01/09. Otherwise Court to rule on Motion to extend 2nd Amended Consent Decree with all information in previously filed briefs as well as testimony and statements of counsel heard during previous oral hearing. Judge Donald C. Nugent Time: 20 min. (R,JM) (Entered: 06/29/2009)
07/02/2009	<u>69</u>	Motion for extension of To File Report To Court until July 2, 2009 filed by 3rd Party Plaintiff Vanguard of Cleveland. (Stege, E.) (Entered: 07/02/2009)
07/02/2009	<u>70</u>	Status Report filed by Vanguard of Cleveland. (Stege, E.) Modified on 7/6/2009, attorney notified, document filed without leave of court (R,N). (Entered: 07/02/2009)
08/18/2009	<u>71</u>	Supplemental Status Report filed by Vanguard of Cleveland. (Stege, E.) (Entered: 08/18/2009)
08/20/2009	<u>72</u>	Memorandum Opinion and Order For the reasons cited in the Order, the City's Motion for Extension of Time to Comply with the Headen Decree (ECF # <u>44</u>) and the Vanguard's Motion to Extend the Terms of the Second Amended Consent Decree (ECF # <u>45</u>) are denied. This case is terminated. Signed by Judge Donald C. Nugent on 8/20/09.(K,K) (Entered: 08/21/2009)
08/21/2009	<u>73</u>	Judgment Pursuant to a Memorandum Opinion and Order of this Court, the City of Cleveland's Motion for Extension of Time to Comply with the Headen Decree (ECF # <u>44</u>) and the Vanguard of Cleveland's Motion to Extend the Terms of the Second Amended Consent Decree (ECF # <u>45</u>) are denied. This case is terminated. Related document <u>72</u> . Signed by Judge Donald C. Nugent on 8/20/09. (K,K) (Entered: 08/21/2009)
09/18/2009	<u>74</u>	NOTICE OF APPEAL to the 6th Circuit Court of Appeals from the <u>72</u> Memorandum, Opinion and Order and <u>73</u> Judgment of 8/20/09, filed by Vanguard of Cleveland. (Filing fee of \$455 paid, receipt number 0647-3743097) (Stege, E.) Modified text on 9/22/2009 (H,SP). (Entered: 09/18/2009)
10/05/2009	<u>75</u>	Acknowledgment from the USCA for Sixth Circuit of receipt of <u>74</u> Notice of Appeal (USCA# 09-4208). Date filed in USCA 10/2/09. (H,SP) (Entered: 10/05/2009)

10/21/2009		Transcript Order received on October 21, 2009 by court reporter Judith Gage. Transcript is already on file. See ECF 62. (G,Ju) (Entered: 10/21/2009)
01/11/2010	<u>76</u>	Returned Mail (order dated 1/7/2009) addressed to Garnett R. Meador, attorney for plaintiffs, and returned with the Post Office notation: return to sender, no longer at this address, not deliverable as addressed, unable to forward. Related document(s) <u>54</u> . (Attachments: # <u>1</u> Mailing Label) (B,B) (Entered: 01/11/2010)
01/27/2012	<u>77</u>	Information copy of opinion from the USCA for the Sixth Circuit: Vacating the District Court's order and remanding for further proceedings consistent with this opinion re <u>74</u> Notice of Appeal (USCA# 09-4208). This is not a mandate order. Circuit Judges: Keith, McKeague and Kethledge. Date issued by USCA 1/27/12 (Attachments: # <u>1</u> Judgment)(H,SP) (Entered: 01/27/2012)
02/23/2012	<u>78</u>	True copy of mandate from the USCA for the Sixth Circuit: Vacating the District Court's order and remanding for further proceedings re <u>74</u> Notice of Appeal (USCA# 09-4208). Date issued as mandate 2/22/12, Costs: None (Related document <u>77</u>) (C,KA). Modified text on 2/28/2012 (H,SP). (Entered: 02/23/2012)
05/17/2012	<u>79</u>	Notice of Substitution of Counsel removing attorney <i>Cornell P. Carter, Eric J. Schaltenbrand, Matthew T. Brady, and Kevin J. Gibbons</i> and adding attorney William M. Menzalora filed by on behalf of Cleveland, City of. (Menzalora, William) (Entered: 05/17/2012)
08/14/2012	<u>80</u>	Motion to Schedule a Status Conference filed by Plaintiff Cleveland Firefighters, Local 93 IAFF. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Powell, Daniel) (Entered: 08/14/2012)
08/16/2012	<u>81</u>	Response to <u>80</u> Motion to Schedule a Status Conference <i>and Notice of Dates of Availability</i> filed by Cleveland, City of. (Menzalora, William) (Entered: 08/16/2012)
08/17/2012		IMPORTANT: Notice (non-document) of Status Conference set for 9/7/2012 at 9:00 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 08/17/2012)
09/05/2012		IMPORTANT: Notice of RE-SCHEDULED Status Conference set for 9/12/2012 at 10:30 AM in Chambers 15A before Judge Donald C. Nugent. (R,JM) (Entered: 09/05/2012)
09/12/2012	<u>82</u>	Minutes of proceedings before Judge Donald C. Nugent. Status Conference held on 9/12/12. Briefs re consent decree due 10/12/12. Status Conference set for 11/20/2012 at 09:00 AM. Time: 60 minutes. (C,KA) (Entered: 09/12/2012)
10/12/2012	<u>83</u>	Motion for Extension of Second Amended Consent Decree; Specific and Narrowly Drawn Extension of the Second Amended Consent Decree; and Evidentiary Hearing filed by 3rd Party Plaintiff Vanguard of Cleveland. (Attachments: # <u>1</u> Brief in Support Memo in support of a Three Prong Motion)(Stege, E.) Modified text on 10/17/2012 (G,CA). (Entered: 10/12/2012)
10/12/2012	<u>84</u>	Partial Joinder in the Motion for an Extension of the Second Amended Consent Decree Filed by the Headen Plaintiffs and The Vanguard of Cleveland filed by Cleveland, City of. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of Martin Flask, # <u>2</u> Exhibit 2 – Affidavit of Lucille Ambroz)Related document(s) <u>82</u> , <u>83</u> .(Menzalora, William) (Entered: 10/12/2012)
11/08/2012	<u>85</u>	Motion for leave filed by 3rd Party Plaintiff Vanguard of Cleveland. (Stege, E.) (Entered: 11/08/2012)
11/12/2012	<u>86</u>	Opposition to <u>83</u> Motion Extension of Second Amended Consent Decree, Specific and Narrowly Drawn Extension of Second Amended Consent Decree, Evidentiary hearing filed by Cleveland Firefighters, Local 93 IAFF. (Powell, Daniel) Modified text on 11/16/2012 (G,CA). (Entered: 11/12/2012)
11/12/2012	<u>87</u>	Response in Opposition to <u>83</u> Motion Extension of Second Amended Consent Decree, Specific and Narrowly Drawn Extension of Second Amended Consent Decree, Evidentiary hearing filed by Cleveland Firefighters for Fair Hiring Practices. (Attachments: # <u>1</u> Exhibit CFFHP)(Bryan, Bradric) Modified text on 11/16/2012 (G,CA). (Entered: 11/12/2012)

11/19/2012	<u>88</u>	Reply to response to 83 Motion Extension of Second Amended Consent Decree, Specific and Narrowly Drawn Extension of Second Amended Consent Decree, Evidentiary hearing filed by Vanguard of Cleveland. (Stege, E.) Modified text on 11/27/2012 (G,CA). (Entered: 11/19/2012)
11/20/2012	<u>89</u>	Minutes of proceedings before Judge Donald C. Nugent. Status Conference held on 11/20/12. Response to expert report due on or before 12/7/12. Hearing set 12/19/2012 at 09:00 AM. Time: 35 minutes. (C,KA) (Entered: 11/20/2012)
12/07/2012	<u>90</u>	Opposition to 85 Motion for leave filed by Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) (Entered: 12/07/2012)
12/07/2012	<u>91</u>	Response to 85 Motion for leave <i>to file an expert affidavit in support of their pending three prong motion</i> filed by Cleveland Firefighters, Local 93 IAFF. (Powell, Daniel) (Entered: 12/07/2012)
12/17/2012	<u>92</u>	Attorney Appearance of Melvyn R. Durchslag filed by on behalf of Vanguard of Cleveland. (Stege, E.) Modified to correct attorney's name on 12/19/2012 (G,CA). (Entered: 12/17/2012)
12/17/2012	<u>93</u>	FILING ERROR, duplicate of # [92]. Attorney Appearance of Melvyn R. Durchslag filed by on behalf of Vanguard of Cleveland. (Stege, E.) Modified on 12/19/2012 (G,CA). (Entered: 12/17/2012)
12/19/2012		FILING ERROR Notice to Attorney Melvyn R. Durchslag. The Court finds no record of your being admitted to practice in the Northern District of Ohio. Pursuant to LR 83.5, an Application for Admission to Practice or a Motion to be Admitted Pro Hac Vice in this case must be filed within 10 business days. The local rules and the attorney admission application are available on the court's web site at: www.ohnd.uscourts.gov. If you are not the attorney of record in this case, a Motion to Withdraw as Attorney pursuant to LR 83.9 must be filed within 10 business days. Related document(s) <u>92</u> . (G,CA) Modified on 12/20/2012. (G,CA). (Entered: 12/19/2012)
12/26/2012	<u>94</u>	Transcript of Hearing held on December 19, 2012 before Judge Donald C. Nugent. To obtain a bound copy of this transcript please contact court reporter Shirle Perkins at 216-357-7106. [159 pages] Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Parties requesting that privacy information be redacted must file a notice of intent to redact with the court by 1/2/2013. Redaction Request due 1/16/2013. Redacted Transcript Deadline set for 1/28/2013. Release of Transcript Restriction set for 3/26/2013. (P,Sh) (Entered: 12/26/2012)
12/28/2012	<u>95</u>	Supplemental Brief <i>After Post-Evidentiary Hearing Partially Joining and Partially Opposing the Motion for an Extension of the Second Amended Consent Decree Filed by the Headen Plaintiffs and the Vanguard of Cleveland</i> filed by Cleveland, City of. Related document(s) <u>94</u> , <u>84</u> . (Menzalora, William) (Entered: 12/28/2012)
12/28/2012	<u>96</u>	Sur-Reply to 83 Motion Extension of 2nd Amended Consent Decree, Specific and narrowly drawn extension of 2nd Amended Consent Decree, Evidentiary hearing filed by Cleveland Firefighters for Fair Hiring Practices. (Bryan, Bradric) (Entered: 12/28/2012)
12/28/2012	<u>97</u>	Opposition to 83 Motion Extension of 2nd Amended Consent Decree, Specific and narrowly drawn extension of 2nd Amended Consent Decree, Evidentiary hearing <i>Local 93's Supplemental Brief in Opposition to Three-Prong Motion by the Vanguard and the Headen Plaintiffs</i> filed by Cleveland Firefighters, Local 93 IAFF. (Powell, Daniel) (Entered: 12/28/2012)
12/28/2012	<u>98</u>	Supplement <i>Post Hearing Brief</i> filed by Vanguard of Cleveland. (Stege, E.) (Entered: 12/28/2012)
12/31/2012	<u>99</u>	Proposed Stipulation filed by Vanguard of Cleveland. (Stege, E.) (Entered: 12/31/2012)
01/04/2013	<u>100</u>	Notice of Filing Missing Page from Exhibit 93-E Admitted at the Evidentiary Hearing held December 19, 2012 filed by Cleveland Firefighters, Local 93 IAFF.

		(Attachments: # <u>1</u> Exhibit 93-E, Page 2)(Powell, Daniel) Modified text on 1/7/2013 (G,CA). (Entered: 01/04/2013)
01/08/2013	<u>101</u>	Memorandum Opinion that: The Court finds the 2000 amended consent decree in the above captioned litigation is no longer necessary to advance the goals of that decree, and the City has substantially complied with all enforceable terms of the decree. The race-based provisions are no longer needed to address past discrimination and are, consequently, unconstitutional. Therefore, the City's motion for extension of time to comply with the Headen Decree, the Vanguard's of Cleveland's motion to extend the terms of the Second Amended Consent Decree, and the Vanguard's renewed motion to extend are denied. This case is terminated. Signed by Judge Donald C. Nugent on 1/8/2013.(Related doc <u>44</u> , <u>45</u> , <u>83</u>)(B,B) Modified text on 1/10/2013 (G,CA). (Entered: 01/08/2013)
01/08/2013	<u>102</u>	Judgment Order that: The Court finds the 2000 amended consent decree in the above captioned litigation is no longer necessary to advance the goals of that decree, and the City has substantially complied with all enforceable terms of the decree. The race-based provisions are no longer needed to address past discrimination and are, consequently, unconstitutional. Therefore, the City's motion for extension of time to comply with the Headen Decree, the Vanguard's of Cleveland's motion to extend the terms of the Second Amended Consent Decree, and the Vanguard's renewed motion to extend are denied. This case is terminated.Signed by Judge Donald C. Nugent on 1/8/2013. (Related doc <u>44</u> , <u>45</u> , <u>83</u> , <u>101</u>)(B,B) Modified text on 1/10/2013 (G,CA). (Entered: 01/08/2013)