87BE, CLOSED, MEDIATION, _JL

U.S. District Court Western District of Oklahoma[LIVE] (Oklahoma City) CIVIL DOCKET FOR CASE #: 5:05-cv-01148-C

Equal Employment Opportunity Commission v. Gardner

Management Group LLC et al

Plaintiff

Commission

Assigned to: Honorable Robin J. Cauthron

Referred to: Mediator (Settlement)

Equal Employment Opportunity

Cause: 42:2000 Job Discrimination (Sex)

represented by Suzanne M Anderson

EEOC-DALLAS 207 S Houston Ave

Date Filed: 09/30/2005

Jury Demand: Plaintiff

Date Terminated: 06/21/2007

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

3rd Fl

Dallas, TX 75202 214-655-3332 Fax: 214-655-3331

Email: suzanne.anderson@eeoc.gov ATTORNEY TO BE NOTICED

Toby W Costas

EEOC-DALLAS 207 S Houston Ave

3rd Fl

Dallas, TX 75202 214-253-2760 Fax: 214-253-2749

Email: TOBY.COSTAS@eeoc.gov ATTORNEY TO BE NOTICED

William C Backhaus

EEOC-DALLAS 207 S Houston Ave 3rd Fl Dallas, TX 75202 214-253-2742

Fax: 214-253-2749

Email: william.backhaus@eeoc.gov ATTORNEY TO BE NOTICED

V.

Defendant

7/26/2007 11:05 AM 1 of 11

Gardner Management Group LLC

represented by Adam W Childers

Crowe & Dunlevy-OKC 20 N Broadway Ave **Suite 1800** Oklahoma City, OK 73102 405-235-7741

Fax: 405-272-5956

Email: childera@crowedunlevy.com

TERMINATED: 06/30/2006 ATTORNEY TO BE NOTICED

Curtis L Smith

Smith Rhodes Stewart & Elder PLLC 119 N Robinson Ave Suite 820 Oklahoma City, OK 73102 405-236-8282

Fax: 405-236-2828

Email: clsmith@srselaw.com ATTORNEY TO BE NOTICED

Gayle L Barrett

Crowe & Dunlevy-OKC 20 N Broadway Ave **Suite 1800** Oklahoma City, OK 73102 405-235-7787

Fax: 405-272-5222

Email: barrettg@crowedunlevy.com TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Kelly L Whitworth

Smith Rhodes Stewart & Elder PLLC 119 N Robinson Ave Suite 820 Oklahoma City, OK 73102

405-236-8282

Fax: 405-236-2828

Email: kwhitworth@srselaw.com TERMINATED: 05/10/2007

Leonard Court

Crowe & Dunlevy-OKC 20 N Broadway Ave **Suite 1800** Oklahoma City, OK 73102 405-235-7706

Fax: 405-272-5232

Email: courtl@crowedunlevy.com

7/26/2007 11:05 AM 2 of 11

TERMINATED: 06/30/2006 ATTORNEY TO BE NOTICED

Susan F Kane

Smith Rhodes Stewart & Elder PLLC 119 N Robinson Ave Suite 820 Oklahoma City, OK 73102 405-236-8282 Fax: 405-236-2828

Fmail: skane@srselaw

Email: skane@srselaw.com ATTORNEY TO BE NOTICED

Tanya S Bryant

Crowe & Dunlevy-OKC 20 N Broadway Ave Suite 1800 Oklahoma City, OK 73102 405-235-7700

Fax: 405-272-5222

Email: bryantt@crowedunlevy.com

TERMINATED: 06/30/2006 ATTORNEY TO BE NOTICED

Defendant

Gardner Tanenbaum Group LLC

represented by Adam W Childers

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Curtis L Smith

(See above for address)

ATTORNEY TO BE NOTICED

Gayle L Barrett

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Kelly L Whitworth

(See above for address) *TERMINATED: 05/10/2007*

Leonard Court

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Susan F Kane

(See above for address)

ATTORNEY TO BE NOTICED

Tanya S Bryant

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Defendant

G&G Construction

represented by Adam W Childers

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Curtis L Smith

(See above for address)

ATTORNEY TO BE NOTICED

Gayle L Barrett

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Kelly L Whitworth

(See above for address) *TERMINATED: 05/10/2007*

Leonard Court

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Susan F Kane

(See above for address)

ATTORNEY TO BE NOTICED

Tanya S Bryant

(See above for address)

TERMINATED: 06/30/2006

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/30/2005	1	COMPLAINT against Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G & G Construction, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(nm,) (Entered: 09/30/2005)
09/30/2005	2	ENTRY of Appearance by Toby W Costas on behalf of Equal Employment Opportunity Commission (nm,) (Entered: 09/30/2005)

09/30/2005	<u>3</u>	GENERAL ORDER 04-02 (April 15, 2004) Mandatory Electronic Case Filing. Signed by Judge Robin J. Cauthron on 4/15/2004. (nm,) (Entered: 09/30/2005)			
09/30/2005	4	PRAECIPE for 3 Summons by Equal Employment Opportunity Commission. (Costas, Toby) (Entered: 09/30/2005)			
09/30/2005		Summons Issued as to Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (nm,) (Entered: 09/30/2005)			
12/01/2005	<u>5</u>	ENTRY of Appearance by Gayle L Barrett on behalf of all defendants (Barrett, Gayle) (Entered: 12/01/2005)			
12/01/2005	<u>6</u>	ENTRY of Appearance by Adam W Childers on behalf of Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Childers, Adam) (Entered: 12/01/2005)			
12/01/2005	7	ANSWER to Complaint by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction.(Childers, Adam) (Entered: 12/01/2005)			
12/02/2005	8	ENTRY of Appearance by Tanya S Bryant on behalf of Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Bryant, Tanya) (Entered: 12/02/2005)			
12/07/2005	9	ENTRY of Appearance by Leonard Court on behalf of Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Court, Leonard) (Entered: 12/07/2005)			
01/13/2006	<u>10</u>	DOCKET: Scheduling Conference set for 2/1/2006 09:40 AM in Chambers before Honorable Robin J. Cauthron. Status Report due by noon 1/31/2006. (Ig (Entered: 01/13/2006)			
01/31/2006	11	JOINT STATUS REPORT AND DISCOVERY PLAN by Plaintiff Equal Employment Opportunity Commission, Defendants Gardner Management Gro LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Childers, Adam) (Entered: 01/31/2006)			
02/01/2006	1/2006 SCHEDULING ORDER: Motions to join due 3/1/2006; Motions to amend of 3/1/2006; Pla witness list due 10/15/2006; Pla exhibit list due 10/15/2006; Discovery due by 11/1/2006. Jury Trial set for 1/8/2007 (Amin Courtroom #301 before Honorable Robin J. Cauthron. Motions due but 11/1/2006. Pretrial Report due by 1/1/2007 At the direction of Judge Robin Cauthron on 2/1/2006. (nm,) (Entered: 02/02/2006)				
06/28/2006	<u>13</u>	MOTION to Withdraw as Attorney of Leonard Court, Gayle Barrett, Adam Childers, and Tanya Bryant by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Court, Leonard) (Entered: 06/28/2006)			
06/30/2006	<u>14</u>	ENTRY of Appearance by Curtis L Smith on behalf of Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Smith, Curtis			

		(Entered: 06/30/2006)			
06/30/2006	<u>15</u>	ENTRY of Appearance by Susan F Kane on behalf of Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Kane, Susa (Entered: 06/30/2006)			
06/30/2006	<u>16</u>	ENTRY of Appearance by Kelly L Whitworth on behalf of Gardner Managemer Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Whitworth Kelly) (Entered: 06/30/2006)			
06/30/2006	<u>17</u>	ORDER granting 13 Motion to Withdraw as Attorney. Attorney Adam W Childers; Leonard Court; Gayle L Barrett and Tanya S Bryant terminated . Signed by Judge Robin J. Cauthron on 6/30/06. (lg,) (Entered: 06/30/2006)			
07/05/2006	<u>18</u>	NOTICE to Take Deposition of Misti Murphy by Gardner Management Gro LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Smith, Curtis) (Entered: 07/05/2006)			
07/05/2006	<u>19</u>	NOTICE to Take Deposition of Teresa Myrick by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Smith, Curtis) (Entered: 07/05/2006)			
07/07/2006	<u>20</u>	JOINT MOTION for Extension of Time (<i>To Extend Scheduling Order Dates</i>) by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Smith, Curtis) (Entered: 07/07/2006)			
07/10/2006	<u>21</u>	ORDER granting <u>20</u> Joint Application for Extension of Scheduling . Signed by Judge Robin J. Cauthron on 7/10/06. (lg,) (Entered: 07/10/2006)			
07/10/2006		Set/Reset internal utility event(lg,) (Entered: 07/10/2006)			
07/12/2006	<u>22</u>	RETURN OF SERVICE - NON SUMMONS Subpoena Issued to Misti Murphy by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Kane, Susan) (Entered: 07/12/2006)			
07/12/2006	23	RETURN OF SERVICE - NON SUMMONS Subpoena Issued to Teresa Myrick by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Kane, Susan) (Entered: 07/12/2006)			
10/11/2006	<u>24</u>	ENTRY of Appearance by William C Backhaus on behalf of Equal Employm Opportunity Commission (Backhaus, William) (Entered: 10/11/2006)			
11/29/2006	<u>25</u>	JOINT MOTION for Extension of Time <i>Scheduling Orders</i> by Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 11/29/2006)			
12/04/2006	<u>26</u>	ORDER granting 25 Second Joint Motion for Extension of the Scheduling Order Signed by Judge Robin J. Cauthron on 12/4/06. (lg,) (Entered: 12/04/2006)			
12/04/2006		Internal Utility Event (lg,) (Entered: 12/04/2006)			
01/11/2007	<u>27</u>	MOTION for Partial Summary Judgment <i>and Brief in Support</i> by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction (Attachments: # 1 Exhibit 1-Excerpts of Deposition of Teresa Myrick# 2 Exhibit 2 - Charge of Discrimination, Teresa Myrick# 3 Exhibit 3 - Complaint# 4 Exhibit 4 - Answer# 5 Exhibit 5 - Letter to Don Stevens from Paula Aduddell# 6 Exhibit			

		6 - Excerpts of Deposition of Mary Rachelle Sharp Fuller# 7 Exhibit 7 - Nicolosi-Russo v. Program Brokerage)(Smith, Curtis) (Entered: 01/11/2007)			
01/29/2007	<u>28</u>	PONSE to Motion re 27 MOTION for Partial Summary Judgment and Brief apport filed by Equal Employment Opportunity Commission. (Attachments: Exhibit Exhibit 1 Gardner Tanenbaum Organization# 2 Exhibit Exhibit narge of Discrimination Myrick# 3 Exhibit Exhibit 3-Depo Excerpts Teresa ick# 4 Exhibit Exhibit 3-Depo excerpts Continuance Teresa Myrick# 5 ibit Exhibit 4-Depo Excerpts Misti Murphy# 6 Exhibit Exhibit 5-Deposition erpts Juliete Hulen# 7 Exhibit Exhibit 6-Deposition Excerpts Kathy dson# 8 Exhibit Exhibit 7-Deposition Excerpts Rachelle Sharp er)(Backhaus, William) (Entered: 01/29/2007)			
01/30/2007	<u>29</u>	MOTION for Leave <i>to File Second Motion for Partial Summary Judgment</i> by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Attachments: # 1 Exhibit 1 - American Bank and Trust Co. v. Bond International Limited)(Kane, Susan) (Entered: 01/30/2007)			
02/02/2007	<u>30</u>	ORDER DENIED <u>29</u> Application to File Second Motion for Partial Summar Judgment w/o prejudice to refiling after the Court rules on the currently pend summary judgment motion. Signed by Judge Robin J. Cauthron on 2/2/2007. (nm,) (Entered: 02/02/2007)			
02/05/2007	<u>31</u>	MOTION for Leave to File Reply <i>Brief to Plaintiff's Response to Defendants'</i> First Partial Motion for Summary Judgement by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Whitworth, Kell (Entered: 02/05/2007)			
02/06/2007	<u>32</u>	ORDER granting 31 Defendants' Application for Leave to File Reply Brief to Plaintiff's Response to Defendants' First Partial Motion for Summary Judgment. Signed by Judge Robin J. Cauthron on 2/6/07. (lg,) (Entered: 02/06/2007)			
02/13/2007	33	REPLY to Response to Motion re <u>27</u> MOTION for Partial Summary Judgment and Brief in Support filed by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Attachments: # <u>1</u> Exhibit 1 - Deposition of Teresa Myrick)(Whitworth, Kelly) (Entered: 02/13/2007)			
02/23/2007	<u>34</u>	ORDER denying 27 Defendants' Partial Motion for Summary Judgment. Signed by Judge Robin J. Cauthron on 2/23/07. (lg,) (Entered: 02/23/2007)			
03/21/2007	<u>35</u>	JOINT MOTION for Order <i>To Release Parties From Court Ordered Mediation</i> by Equal Employment Opportunity Commission. (Backhaus, William) (Entered 03/21/2007)			
03/21/2007	<u>36</u>	ORDER granting 35 Joint Motion to Release Parties from Court Ordered Mediation. Signed by Judge Robin J. Cauthron on 3/21/07. (lg,) (Entered: 03/21/2007)			
03/26/2007	<u>37</u>	MOTION to Quash <i>Subpoena</i> , MOTION for Protective Order, MOTION to Expedite <i>Hearing</i> by Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 03/26/2007)			
03/26/2007	<u>38</u>	ORDER for Response re <u>37</u> MOTION to Quash <i>Subpoena</i> MOTION for Protective Order MOTION to Expedite <i>Hearing</i> filed by Equal Employment Opportunity Commission. Signed by Judge Robin J. Cauthron on 3/26/07. (lg,)			

		(Entered: 03/26/2007)			
03/30/2007	<u>39</u>	MOTION to Compel <i>Discovery and Brief in Support</i> by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Attachments: # 1 Exhibit 1 - Defendants Second Set of Interrogatories and Requests for Production of Documents to Plaintiff# 2 Exhibit 2 - Plaintiff EEOC's Responses to Defendants Second Set of Interrogatories and Requests for Production of Documents# 3 Exhibit 3 - Letter dated March 6, 2007 from counsel for Defendants to counsel for Plaintiff# 4 Exhibit 4 - Letter from Toby Costas to Adam Childers dated January 31, 2006# 5 Exhibit 5 - Letter from Paula Aduddell to Don Stevens dated December 13, 2004)(Smith, Curtis) (Entered: 03/30/2007)			
04/02/2007	<u>40</u>	ORDER for Response re 39 MOTION to Compel <i>Discovery and Brief in Suppo</i> filed by Gardner Tanenbaum Group LLC, Gardner Management Group LLC, G&G Construction. Signed by Judge Robin J. Cauthron on 4/2/07. (lg,) (Entered: 04/02/2007)			
04/04/2007	<u>41</u>	RESPONSE to Motion re <u>37</u> MOTION to Quash <i>Subpoena</i> MOTION for Protective Order MOTION to Expedite <i>Hearing</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit Exhibit 1# <u>2</u> Exhibit Exhibit 2# <u>3</u> Exhibit Exhibit 3# Exhibit Exhibit 4# <u>5</u> Exhibit Exhibit 5# <u>6</u> Exhibit Exhibit 6# <u>7</u> Exhibit Exhibit 6			
04/05/2007	<u>42</u>	RESPONSE in Opposition re 39 MOTION to Compel <i>Discovery and Brief in Support</i> filed by Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 04/05/2007)			
04/05/2007	43	JOINT MOTION for Extension of Time <i>of Scheduling Order</i> by Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 04/05/2007)			
04/09/2007	<u>44</u>	ORDER denying <u>43</u> Third Joint Motion for Extension of the Schedulng Order. Signed by Judge Robin J. Cauthron on 4/9/07. (lg,) (Entered: 04/09/2007)			
04/10/2007	<u>45</u>	ORDER denying 37 Plaintiff Equal Employment Opportunity Commission's Motion to Quash Subpoena, Motion for Protective Order and Request for Expedited Hearing with Brief in Support; denying as moot 39 Defendants' Motion to Compel Discovery. Signed by Judge Robin J. Cauthron on 4/10/07. (lg,) (Entered: 04/10/2007)			
04/11/2007	<u>46</u>	Exhibit List / Witness List by Plaintiff Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 04/11/2007)			
04/20/2007	<u>47</u>	MOTION for Leave <i>to File Second Motion for Partial Summary Judgment</i> by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Attachments: # 1 Exhibit 1 - Slip Copy - American Bank and Trust Co. v Bond International Limited)(Kane, Susan) (Entered: 04/20/2007)			
04/23/2007	<u>48</u>	MOTION to Compel Compliance with Subpoena Duces Tecum of EEOC Investigator Robert T. Hill, and Request for Expedited Consideration by all defendants. (Attachments: # 1 Exhibit Notice of Video Deposition Subpoena Duces Tecum# 2 Exhibit 2 - Deposition of Robert T. Hill# 3 Exhibit 3 - Susan Kane letter to William Backhaus dated April 16, 2007# 4 Exhibit 4 - William			

		Backhaus letter to Susan Kane dated April 20, 2007)(Kane, Susan) (Entered: 04/23/2007)			
04/23/2007	<u>49</u>	SUPPLEMENT re <u>48</u> MOTION to Compel Compliance with Subpoena Duce Tecum of EEOC Investigator Robert T. Hill, and Request for Expedited Consideration by all defendants. (Attachments: # <u>1</u> Exhibit 1 - page 5 - Attachment A to Deposition Subpoena Duces Tecum)(Kane, Susan) (Entered 04/23/2007)			
04/24/2007	<u>50</u>	ORDER regarding <u>48</u> Motion to Compel, Plf is ordered to file an expedited response to Dfts' Motion to Compel by noon on 4/25/2007. Signed by Judge Robin J. Cauthron on 4/24/2007. (nm,) (Entered: 04/24/2007)			
04/25/2007	<u>51</u>	ORDER denying <u>47</u> Defendants' Application to File Second Motion for Partial Summary Judgment. Signed by Judge Robin J. Cauthron on 4/25/07. (lg,) (Entered: 04/25/2007)			
04/25/2007	<u>52</u>	RESPONSE in Opposition re <u>48</u> MOTION to Compel <i>Compliance with Subpoena Duces Tecum of EEOC Investigator Robert T. Hill, and Request for Expedited Consideration</i> filed by Equal Employment Opportunity Commission (Backhaus, William) SAME AS #53 - W/O ATTACHMENTS Modified on 4/26/2007 (lg,). (Entered: 04/25/2007)			
04/25/2007	<u>53</u>	RESPONSE in Opposition re <u>48</u> MOTION to Compel <i>Compliance with Subpoena Duces Tecum of EEOC Investigator Robert T. Hill, and Request for Expedited Consideration (corrected to add Attachment A1-4)</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Attachment A1 Deposition transcript of Robert Hill, pp 1-41# <u>2</u> Attachment A2 Deposition transcript of Robert Hill, pp. 42-81# <u>3</u> Attachment A3- Deposition transcript of Robert Hill, pp. 82-121# <u>4</u> Attachment A4 Deposition transcript of Robert H pp. 122-148)(Backhaus, William) (Entered: 04/25/2007)			
04/26/2007	<u>54</u>	ORDER DENIED <u>48</u> Motion to Compel Compliance w/Subpoena Duces Tecun Signed by Judge Robin J. Cauthron on 4/26/2007. (nm,) (Entered: 04/26/2007)			
04/26/2007	<u>55</u>	Exhibit List / Witness List by Defendants Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Smith, Curtis) (Entered: 04/26/2007)			
05/01/2007	<u>56</u>	ENTRY of Appearance by Suzanne M Anderson on behalf of Equal Employme Opportunity Commission (Anderson, Suzanne) (Entered: 05/01/2007)			
05/01/2007	<u>57</u>	MOTION for Partial Summary Judgment And Brief In Support Thereof by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1-Charge of Discrimination Teresa Myrick# 2 Exhibit 2-Charge of Discrimination Rachelle Sharp# 3 Exhibit 3-Charge of Discrimination Misti Murphy# 4 Exhibit 4-Determination Teresa Myrick# 5 Exhibit 5-Determination Rachelle Sharp# 6 Exhibit 6-Determination Misti Murphy# 7 Exhibit 7-Letter to Leonard Court# 8 Exhibit 8-Affidavit of Suzanne M. Anderson# 9 Exhibit 9-Defendants' Answers to Plaintiff EEOC First Set of Interrogatories)(Anderson, Suzanne) (Entered: 05/01/2007)			
05/09/2007	<u>58</u>	MOTION to Withdraw as Attorney by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Whitworth, Kelly)			

		(Entered: 05/09/2007)			
05/10/2007	<u>59</u>	DOCKET: Jury Trial set for 7/9/2007 09:00 AM before Honorable Robin J. Cauthron. (lg,) (Entered: 05/10/2007)			
05/10/2007	<u>60</u>	ORDER granting <u>58</u> Motion to Withdraw. Attorney Kelly L Whitworth terminated. Signed by Judge Robin J. Cauthron on 5/10/07. (lg,) (Entered: 05/10/2007)			
05/14/2007	<u>61</u>	ADR REPORT BY MEDIATOR / EVALUATOR (Barghols, Steven) (Entered: 05/14/2007)			
05/18/2007	<u>62</u>	ORDER SETTING SETTLEMENT CONFERENCE. Settlement Conference se for 6/20/2007 at 09:00 AM in Chambers before Magistrate Judge Valerie K. Couch. Settlement conference statements and cover sheets due no later than noo on Friday, 6/15/07. Signed by Judge Valerie K. Couch on 5/18/07. (ch,) (Entered: 05/18/2007)			
05/21/2007	<u>63</u>	RESPONSE to Motion re <u>57</u> MOTION for Partial Summary Judgment <i>And Brief In Support Thereof</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit 1 - Determinations)(Smith, Curtis) (Entered: 05/21/2007)			
06/05/2007	<u>64</u>	MEMORANDUM OPINION and ORDER. Signed by Judge Robin J. Cauthron on 6/5/07. (lg,) (Entered: 06/05/2007)			
06/11/2007	<u>65</u>	RESPONSE in Support re <u>57</u> MOTION for Partial Summary Judgment <i>And Brid In Support Thereof ADDITIONAL EVIDENCE REQUESTED BY THE COURT</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Attachment Attachment A Letter from Bob Hill to Leonard Court# <u>2</u> Attachment Att. B Letter confirming conciliation# <u>3</u> Attachment Att. C Robert A. Canino affidavit)(Anderson, Suzanne) (Entered: 06/11/2007)			
06/11/2007	<u>66</u>	RESPONSE in Opposition re <u>57</u> MOTION for Partial Summary Judgment <i>And Brief In Support Thereof - Defendants' Additional Evidence Relating to Conciliation</i> filed by Gardner Management Group LLC, Gardner Tanenbaum Group LLC, G&G Construction. (Attachments: # <u>1</u> Exhibit 1 - E-mail from Curtis L. Smith to William Backhaus dated May 24, 2007)(Kane, Susan) (Entered: 06/11/2007)			
06/21/2007	<u>67</u>	CONSENT DECREE. Signed by Judge Robin J. Cauthron on 6/21/07. (lg,) (Entered: 06/21/2007)			

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Transaction Receipt			
07/26/2007 11:03:00			
PACER Login:	hs0328	Client Code:	eeoc
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