

CLOSED, MAG

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:03-cv-01108-GLL**

EQUAL EMPLOYMENT OPP v. AKERS NATIONAL ROLL  
Assigned to: Judge Gary L. Lancaster  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 07/24/2003  
Date Terminated: 06/30/2004  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

represented by **M. Jean Clickner**  
Equal Employment Opportunity  
Commission  
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V.

**Defendant**

**AKERS NATIONAL ROLL  
COMPANY**

represented by **Albert S. Lee**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/24/2003	1	COMPLAINT with summons issued; jury demand (ksa) (Entered: 07/24/2003)
08/04/2003	2	RETURN OF SERVICE executed as to AKERS NATIONAL ROLL 7/28/03 Answer due on 8/17/03. (ksa) (Entered: 08/04/2003)
08/18/2003	3	MOTION by AKERS NATIONAL ROLL to Dismiss , and for More Definite Statement with Proposed Order. (plh) (Entered: 08/18/2003)
08/18/2003	4	BRIEF by AKERS NATIONAL ROLL in support of [3-1] motion to Dismiss by AKERS NATIONAL ROLL, [3-2] motion for More Definite Statement by AKERS NATIONAL ROLL (plh) (Entered: 08/18/2003)
08/27/2003	5	ORDER, Response to Motion set to 9/19/03 for [3-1] motion to Dismiss, set to 9/19/03 for [3-2] motion for More Definite Statement . IT IS FURTHER ORDERED that any reply to a response in opposition shall be filed on or before 10/3/03. ( signed by Judge Gary L. Lancaster on 8/27/03 ) CM all parties of record. (ksa) (Entered: 08/28/2003)
09/12/2003	6	Stipulated MOTION by EQUAL EMPLOYMENT OPP, AKERS NATIONAL ROLL for Extension of Time to respond to motion to dismiss with Proposed Order. (ksa) (Entered: 09/12/2003)
09/16/2003		ORDER upon motion granting [6-1] motion for Extension of Time to respond to motion to dismiss, Response to Motion set to 10/3/03 for [3-1] motion to Dismiss . IT IS FURTHER ORDERED that any reply to the Commission's response shall be filed on or before 10/17/03. ( signed by Judge Gary L. Lancaster on 9/15/03 ) CM all parties of record. (ksa) (Entered: 09/17/2003)
09/29/2003	7	AMENDED MOTION by AKERS NATIONAL ROLL to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) , and for More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e) with Proposed Order. (ksa)

		(Entered: 09/30/2003)
09/29/2003	8	BRIEF in support of [7-1] motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) by AKERS NATIONAL ROLL, [7-2] motion for More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e) by AKERS NATIONAL ROLL (ksa) (Entered: 09/30/2003)
09/29/2003	9	MOTION by EQUAL EMPLOYMENT OPP for Sanctions pursuant to Federal Rule of Civil Procedure 11(c) with Proposed Order. (ksa) (Entered: 09/30/2003)
09/29/2003	10	RESPONSE by EQUAL EMPLOYMENT OPP in opposition to [7-1] motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) by AKERS NATIONAL ROLL, [7-2] motion for More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e) by AKERS NATIONAL ROLL (ksa) (Entered: 09/30/2003)
10/01/2003	11	RESPONSE by EQUAL EMPLOYMENT OPP in opposition to [7-1] motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) by AKERS NATIONAL ROLL, [7-2] motion for More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e) by AKERS NATIONAL ROLL (ksa) (Entered: 10/01/2003)
10/02/2003	12	ORDER, Response to Motion set to 10/17/03 for [9-1] motion for Sanctions pursuant to Federal Rule of Civil Procedure 11(c) ( signed by Judge Gary L. Lancaster on 10/2/03 ) CM all parties of record. (ksa) (Entered: 10/02/2003)
10/14/2003	13	MOTION by EQUAL EMPLOYMENT OPP to Modify motion for sanctions with Proposed Order. (ksa) (Entered: 10/14/2003)
10/15/2003		ORDER upon motion granting [13-1] motion to Modify motion for sanctions. IT IS FURTHER ORDERED that the portion of the Commission's Motion for Sanctions titled: "I. Commission's Response to Deft's Motion to Dismiss EEOC's Complaint Because Logan's Remedies Are Barred by the Exclusivity Provisions of the PA Workers' Compensation Act" will be disregarded as moot. ( signed by Judge Gary L. Lancaster on 10/15/03 ) CM all parties of record. (ksa) (Entered: 10/16/2003)
10/17/2003	14	BRIEF by AKERS NATIONAL ROLL in opposition to [13-1] motion to Modify motion for sanctions by EQUAL EMPLOYMENT OPP (ksa) (Entered: 10/20/2003)
10/17/2003	15	RESPONSE BRIEF in support of [7-1] motion to Dismiss pursuant to Federal Rule of Civil Procedure by AKERS NATIONAL ROLL (ksa) (Entered: 10/20/2003)
10/27/2003	16	MEMORANDUM ORDER denying [9-1] motion for Sanctions pursuant to Federal Rule of Civil Procedure 11(c), denying [7-1] motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), denying [7-2] motion for More Definite Statement pursuant to Federal Rule of Civil Procedure 12(e) ( signed by Judge Gary L. Lancaster on 10/23/03 ) CM all parties of record. (ksa) (Entered: 10/28/2003)
10/29/2003	17	MOTION by AKERS NATIONAL ROLL for Reconsideration of [16-1] order with Proposed Order. (ksa) (Entered: 10/30/2003)

11/06/2003		ORDER upon motion denying [17-1] motion for Reconsideration of [16-1] order ( signed by Judge Gary L. Lancaster on 10/29/03 ) CM all parties of record. (ksa) (Entered: 11/06/2003)
11/17/2003	18	ANSWER to Complaint by AKERS NATIONAL ROLL (Attorney Christine M. Brown) (ksa) (Entered: 11/17/2003)
11/18/2003	19	PROPOSED DISCOVERY PLAN pursuant to Rule 26(f) by EQUAL EMPLOYMENT OPP, AKERS NATIONAL ROLL (ksa) (Entered: 11/18/2003)
12/30/2003	20	CASE MANAGEMENT ORDER setting an initial case management conference on 2/6/04 at 2:30 ; Discovery cutoff on 5/30/04 ; Pretrial Statements for Plaintiffs due 6/21/04 ; Pretrial Statements for Defendants due 7/12/04 ; Motion for Summary Judgment due 7/30/04 ; Response to Summary Judgment due 8/30/04 ; Motion in Limine due 10/18/04 ; Response to Motion in Limine due 11/5/04 ; Points for Charge Deadline due 10/18/04 ; Proposed Voir Dire due 10/18/04 ; Pretrial Conference set for 10:00 11/19/04 ; Jury selection and Trial presumptively set for 9:30 12/6/04 ; ( signed by Judge Gary L. Lancaster on 12/29/03 ) CM all parties of record. (ksa) Modified on 12/31/2003 (Entered: 12/31/2003)
12/30/2003		CASE DESIGNATED to Track 1. (ksa) Modified on 12/31/2003 (Entered: 12/31/2003)
12/30/2003		Deadline updated; set Case Management Conference for 2:30 2/6/04 (ksa) (Entered: 12/31/2003)
02/02/2004		Deadline updated; reset Status Conference for 11:00 2/13/04 (ksa) (Entered: 02/02/2004)
02/13/2004	21	ORDER REFERRING CASE to Mag. Judge Robert C. Mitchell for the purpose of conducting a settlement/mediation conference. ( signed by Judge Gary L. Lancaster on 2/13/04 ) CM all parties of record. (ksa) (Entered: 02/17/2004)
02/13/2004	22	Status Conference held 2/13/04 before Judge Gary L. Lancaster [ Reporter: Patricia Sherman ]. Parties amenable to mediation. (ksa) (Entered: 02/17/2004)
02/17/2004	23	Mediation/Neutral Evaluation Conference set for 10:00 3/22/04 in Room 513, 5th Floor, USPO & Courthouse, Pittsburgh, PA before Magistrate Judge Robert C. Mitchell. (ksa) (Entered: 02/17/2004)
03/30/2004	24	Mediation hearing held before Mag. Judge Robert C. Mitchell 3/30/04 [ Reporter: none ] Settlement agreement has been reached in principle. Final settlement conference 4/15/04 at 1:00 p.m. (ksa) Modified on 04/02/2004 (Entered: 03/30/2004)
03/30/2004		Deadline updated; set Settlement Conference for 1:00 4/15/04 before Magistrate Judge Robert C. Mitchell. (ksa) (Entered: 03/30/2004)
04/14/2004	25	Settlement Conference reset for 9:30 4/26/04 before Mag. Judge Robert C. Mitchell. (ksa) (Entered: 04/14/2004)
05/25/2004	26	Status Conference held 5/25/04 before Mag. Judge Robert C. Mitchell [ Reporter: none ]. Press release to be provided to defense counsel with final proposed consent decree by 6/4/04. (ksa) (Entered: 05/25/2004)

06/30/2004	27	ORDER that the court has been advised that a resolution has been reached in the instant case and the only remaining matter is the submission of a stipulation of discontinuance for approval by the court. Therefore, there being no further action needed by the court at this time, IT IS HEREBY ORDERED that the Clerk of Court is directed to mark this case closed. Nothing contained in this order shall be considered a dismissal or disposition of this matter and this court shall retain jurisdiction. Should further proceedings in it become necessary, or desirable, either party may initiate it in the same manner as if this order had not been entered. ( signed by Judge Gary L. Lancaster on 6/30/04 ) CM all parties of record. (ksa) (Entered: 06/30/2004)
06/30/2004		Case closed (ksa) (Entered: 06/30/2004)
07/13/2004	28	CONSENT DECREE by EQUAL EMPLOYMENT OPP, AKERS NATIONAL ROLL with proposed order. (ksa) (Entered: 07/14/2004)
07/19/2004		ORDER upon consent granting [28-1] decree consent. Deft is enjoined from violating provisions as stated more fully in said order. ( signed by Judge Gary L. Lancaster on 7/15/04 ) CM all parties of record. (tt) (Entered: 07/19/2004)

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