

CLOSED

U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:04-cv-00490-AJS

EQUAL EMPLOYMENT v. FLYNN CONSTRUCTION

Assigned to: Judge Arthur J. Schwab

Demand: \$0

Cause: 42:2000 Job Discrimination (Race)

Date Filed: 03/30/2004

Jury Demand: Both

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**represented by **Jacqueline H. McNair**Equal Employment Opportunity
Commission

21 South Fifth Street

Suite 400, The Bourse Building

Philadelphia, PA 19106

(215) 440-2666

Email: Jacqueline.McNair@eeoc.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Judith A. O'Boyle**Equal Employment Opportunity
Commission

21 South Fifth Street

Suite 400, The Bourse Building

Philadelphia, PA 19106

(215) 440-2666

Email: Judith.Ob Boyle@EEOC.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****M. Jean Clickner**Equal Employment Opportunity
Commission

1001 Liberty Avenue

Suite 300, Liberty Center

Pittsburgh, PA 15222

(412) 644-6439

Firm: (412) 644-4935

Email: jean.clickner@eeoc.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Terrence R. Cook**Equal Employment Opportunity
Commission

21 South Fifth Street
 Suite 400, The Bourse Building
 Philadelphia, PA 19106
 (215) 440-2666
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**FLYNN CONSTRUCTION
 MANAGEMENT - GENERAL
 CONTRACTING, INC.**

represented by **Joseph Mack, III**
 Thorp, Reed & Armstrong
 301 Grant Street
 One Oxford Centre, 14th Floor
 Pittsburgh, PA 15222-4895
 (412) 394-7797
 Firm: (412) 394-7711
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard V. Sica
 Thorp, Reed & Armstrong
 301 Grant Street, 14th Floor
 Pittsburgh, PA 15219-1425
 (412) 394-7769
 Firm: 4123942555
 Email: rsica@thorpreed.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Terrence M. Lewis
 Marcus & Shapira
 301 Grant Street
 35th Floor, One Oxford Centre
 Pittsburgh, PA 15219-6401
 (412) 802-6997
 Firm: (412) 647-7710
 Email: lewist2@upmc.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/30/2004	1	COMPLAINT with summons issued; jury demand (tt) (Entered: 03/30/2004)
04/07/2004	2	ORDER, set Answer deadline to 4/20/04 for FLYNN CONSTRUCTION (signed by Judge Arthur J. Schwab on 4/6/04) CM all parties of record. (tt) (Entered: 04/07/2004)

04/07/2004	3	ORDER on Motions Practice (signed by Judge Arthur J. Schwab on 4/6/04) CM all parties of record. (tt) (Entered: 04/07/2004)
04/07/2004	4	ORDER, set Case Management Conference for 8:00 4/27/04 . Proposed Case Management Order / Discovery Plan to be submitted by 4/20/04. (signed by Judge Arthur J. Schwab on 4/6/04) CM all parties of record. (tt) (Entered: 04/07/2004)
04/13/2004	5	MOTION by FLYNN CONSTRUCTION to Extend Time w/in which to respond to complaint and for rescheduling of case management conference , with Proposed Order. (tt) (Entered: 04/13/2004)
04/14/2004	6	ORDER granting in part, denying in part [5-1] motion to Extend Time w/in which to respond to complaint and for rescheduling of case management conference; reset Answer deadline to 12:00 4/26/04 for FLYNN CONSTRUCTION . The case management conference will occur as scheduled on 4/27/04 at 8:00 a.m. (signed by Judge Arthur J. Schwab on 4/14/04) CM all parties of record. (tt) (Entered: 04/15/2004)
04/26/2004	7	MOTION by FLYNN CONSTRUCTION to Dismiss Plaintiff's Claim for Hostile Environment Racial Harassment and Claims for an Award of Backpay and Frontpay with Proposed Order. (Attorney: Joseph Mack III, Richard V. Sica, Terrence M. Lewis) (jsp) (Entered: 04/26/2004)
04/26/2004	8	BRIEF by FLYNN CONSTRUCTION in support of [7-1] motion to Dismiss Plaintiff's Claim for Hostile Environment Racial Harassment and Claims for an Award of Backpay and Frontpay by FLYNN CONSTRUCTION (jsp) (Entered: 04/26/2004)
04/28/2004	9	Status Conference held 4/27/04 before Judge Arthur J. Schwab [Reporter: none] (tt) (Entered: 04/28/2004)
04/28/2004		CASE DESIGNATED to Track 1. (tt) (Entered: 04/28/2004)
04/28/2004	10	CASE MANAGEMENT ORDER that pltf may file an amended complaint by 5/4/04 ; Deft may file an answer or revised motion to dismiss by 5/11/04 ; Discovery cutoff on 7/1/04 ; Pltf's expert reports due 7/5/04 ; Deft's expert reports due 7/19/04 ; Expert depositions to be completed by 7/28/04 ; Motions for Summary Judgment due 8/4/04 ; Responses to Summary Judgment motions due 8/16/04 ; Pretrial Statements for Plaintiffs due 9/2/04 ; Pretrial Statements for Defendants due 9/9/04 ; Parties to file an indication as to whether or not they are willing to proceed to trial before a Mag. Judge by 5/30/04. (signed by Judge Arthur J. Schwab on 4/27/04) CM all parties of record. (tt) (Entered: 04/28/2004)
04/28/2004	11	PRETRIAL ORDER setting Jury Selection and Trial for 9:00 10/4/04 ; Plaintiff's witness list and offers of proof due 9/2/04 ; Defendant's witness list and offers of proof due 9/9/04 ; Designation of excerpts to be offered at trial due 9/16/04 ; Motions in Limine due 9/16/04 ; Responses to Motions in Limine due 9/20/04 ; Proposed Jury Instructions & Verdict Slips due 9/16/04 ; Proposed Voir Dire due 9/16/04 ; Joint Stipulations due 9/16/04 ; Final Pretrial Conference set for 8:00 9/28/04. (signed by Judge Arthur J. Schwab on 4/27/04) CM all parties of record. (tt) (Entered: 04/28/2004)

05/03/2004	12	RETURN OF SERVICE executed as to FLYNN CONSTRUCTION 4/20/04 Answer due on 5/10/04 for FLYNN CONSTRUCTION (tt) (Entered: 05/03/2004)
05/04/2004	13	FIRST AMENDED COMPLAINT by EQUAL EMPLOYMENT (Answer due 5/11/04 for FLYNN CONSTRUCTION) amending [1-1] complaint ; Jury Trial Demanded (tt) (Entered: 05/04/2004)
05/11/2004	14	MOTION by FLYNN CONSTRUCTION to Dismiss pltf's claim for hostile environment racial harassment pursuant to F.R.Civ.P. 12(b)(6) , with Proposed Order. (tt) (Entered: 05/11/2004)
05/11/2004	15	BRIEF by FLYNN CONSTRUCTION in support of [14-1] motion to Dismiss pltf's claim for hostile environment racial harassment pursuant to F.R.Civ.P. 12(b)(6) (tt) (Entered: 05/11/2004)
05/25/2004	16	BRIEF by EQUAL EMPLOYMENT in opposition to deft's [14-1] motion to Dismiss pltf's claim for hostile environment racial harassment (tt) (Entered: 05/25/2004)
05/27/2004	17	MEMORANDUM OPINION regarding deft's [14-1] motion to dismiss pltf's claim for hostile environment racial harassment pursuant to Rule 12(b)(6). (signed by Judge Arthur J. Schwab on 5/26/04) CM all parties of record. (tt) (Entered: 05/27/2004)
05/27/2004	18	ORDER denying deft's [14-1] motion to Dismiss pltf's claim for hostile environment racial harassment pursuant to F.R.Civ.P. 12(b)(6). (signed by Judge Arthur J. Schwab on 5/26/04) CM all parties of record. (tt) (Entered: 05/27/2004)
06/04/2004	19	ANSWER and Affirmative Defenses by FLYNN CONSTRUCTION to pltf's first amended complaint; jury demand (tt) (Entered: 06/07/2004)
06/10/2004	20	ORDER seeting Firm Trial Date. Jury Selection and Trial set for 9:00 10/4/04 . (signed by Judge Arthur J. Schwab on 6/10/04) CM all parties of record. (tt) (Entered: 06/10/2004)
08/02/2004	21	ORDER, reset Preliminary Pretrial Conference for 10:00 9/17/04 ; Final Pretrial Conference set for 8:00 9/23/04 ; reset Jury Selection and Trial for 9:00 9/27/04 . (signed by Judge J. Schwab on 8/2/04) CM all parties of record. (tt) (Entered: 08/03/2004)
08/12/2004	22	CONSENT DECREE by EQUAL EMPLOYMENT, FLYNN CONSTRUCTION with proposed order. (ces) (Entered: 08/13/2004)
08/18/2004		ORDER upon motion granting [22-1] decree consent (signed by Judge Arthur J. Schwab on 8/18/04) CM all parties of record. (ksa) (Entered: 08/19/2004)
08/18/2004		Case closed (ksa) (Entered: 08/19/2004)

PACER Service Center

Transaction Receipt

06/07/2007 16:06:37			
PACER Login:	hs0328	Client Code:	
Description:	Docket Report	Search Criteria:	2:04-cv-00490-AJS
Billable Pages:	3	Cost:	0.24
