

CLOSED,A/R,LEAD,STANDARD

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:06-cv-04331-TMG**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v.
HANNABERY ELECTRIC, INC.
Assigned to: HONORABLE THOMAS M. GOLDEN
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 09/28/2006
Date Terminated: 12/06/2007
Jury Demand: Both
Nature of Suit: 442 Civil Rights:
Employment
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

represented by **CYNTHIA A. LOCKE**
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
21 S. 5TH ST
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V.

Intervenor Plaintiff

GARY HALL

represented by **TIMOTHY M. KOLMAN**
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Intervenor Plaintiff

MICHAEL MORRONE

represented by

TIMOTHY M. KOLMAN
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

JAMES O'BRIEN

represented by **TIMOTHY M. KOLMAN**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

HANNABERY ELECTRIC, INC.
doing business as
HANNABERY HVAC

represented by **DAVID M. SPITKO**
 LAW OFFICES OF DAVID SPIITKO
 124 DRAKE LANE
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Date Filed	#	Docket Text
09/28/2006	<u>1</u>	COMPLAINT against HANNABERY ELECTRIC, INC. , filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Designation Form# <u>3</u> Case Management Track Designation Form)(ti,) (Entered: 09/28/2006)
09/28/2006		Summons Issued as to HANNABERY ELECTRIC, INC. One Original Forwarded To: Counsel on 9/28/06 (ti,) (Entered: 09/28/2006)
09/28/2006		DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (ti,) (Entered: 09/28/2006)
10/20/2006	<u>2</u>	NOTICE of Appearance by WAYNE A. ELY on behalf of EQUAL EMPLOYMENT OPPORTUNITY COMMISSION with Certificate of Service (ELY, WAYNE) (Entered: 10/20/2006)
10/20/2006	<u>3</u>	MOTION to Intervene <i>as Plaintiffs</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.Memorandum of Law. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit A)(ELY, WAYNE) (FILED IN ERROR BY ATTORNEY; ATTORNEY WILL RE-FILE IN PAPER FORMAT) Modified on 10/25/2006 (np). (Entered: 10/20/2006)
10/26/2006	<u>4</u>	Summons Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re: Eric M. Afflerbach served Summons and Complaint upon Barbara Gagney, Legal Department, Managing Agent on behlf of HANNABERY ELECTRIC, INC.. HANNABERY ELECTRIC, INC. served on 10/16/2006, answer due 11/6/2006. (le,) Additional attachment(s) added on 8/8/2007 (cw,). (Entered: 10/26/2006)
10/27/2006	<u>5</u>	MOTION FOR LEAVE TO INTERVENE AS PLAINTIFFS FILED BY GARY HALL, MICHAEL MORRONE, JAMES O'BRIEN WITH MEMORANDUM.(le,) (Entered: 10/27/2006)
11/02/2006	<u>6</u>	ANSWER to Complaint with Jury Demand and Certificate of Service by HANNABERY ELECTRIC, INC..(SPITKO, DAVID) (Entered: 11/02/2006)
12/20/2006	<u>7</u>	MOTION for Extension of Time to File <i>Response To Motion To Intervene</i> filed by HANNABERY ELECTRIC, INC..Supporting Brief and Certificates of Service.(SPITKO, DAVID) (Entered: 12/20/2006)

12/21/2006	<u>8</u>	ORDER THAT MOTION FOR LEAVE TO INTERVENE IS GRANTED. THE CLERK OF COURT IS DIRECTED TO FILE MOVANTS' COMPLAINT ATTACHED AS EXHIBIT AT TO THE MOTION FOR LEAVE TO INTERVENE. . SIGNED BY JUDGE THOMAS M. GOLDEN ON 12/19/06.12/22/06 ENTERED AND COPIES MAILED, E-MAILED.(er,) Modified on 12/22/2006 (er,). (Entered: 12/22/2006)
12/21/2006	<u>9</u>	Intervenor COMPLAINT filed by GARY HALL, MICHAEL MORRONE, JAMES O'BRIEN.(er,) Additional attachment(s) added on 4/10/2007 (le,). (Entered: 12/22/2006)
12/29/2006	<u>10</u>	NOTICE of Hearing: RULE 16 TELEPHONE CONFERENCE SET FOR WEDNESDAY, KANUARY 24, 2007 AT 09:30 AM BEFORE HONORABLE THOMAS M. GOLDEN. COUNSEL FOR PLAINTIFF SHALL INITIATE CALL TO ALL PARTIES AND TO CHAMBERS AT 610-320-5097.(tl,) (Entered: 12/29/2006)
01/12/2007	<u>11</u>	ORDER THAT THE COURT'S ORDER GRANTING INTERVENOR PLAINTIFFS' MOTION FOR LEAVE TO INTERVENE IS HEREBY VACATED TO ALLOW DEFENDANT AN OPPORTUNITY TO RESPOND. IT IS FURTHER ORDERED THAT DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTION TO INTERVENE IS GRANTED AND DEFENDANT SHALL FILE A RESPONSE WITHIN 14 DAYS OF THE DATE OF THIS ORDER. SIGNED BY JUDGE THOMAS M. GOLDEN ON 1/12/07. 1/12/07 ENTERED AND COPIES MAILED AND E-MAILED.(le,) (Entered: 01/12/2007)
01/15/2007	<u>12</u>	NOTICE by HANNABERY ELECTRIC, INC. (<i>Counsel for the Defendant – Change of lawfirms and contact information</i>) (SPITKO, DAVID) (Entered: 01/15/2007)
01/22/2007	<u>13</u>	NOTICE STRIKING HEARING: THE TELEPHONE CONFERENCE SCHEDULED FOR 1/24/2007 @ 9:30 A.M. BEFORE HONORABLE THOMAS M. GOLDEN WAS CANCELLED AT REQUEST OF COUNSEL. (silfies,) (Entered: 01/22/2007)
01/26/2007	<u>14</u>	RESPONSE to Motion re <u>5</u> MOTION to Intervene <i>with Memoransum of Law</i> filed by HANNABERY ELECTRIC, INC.. (SPITKO, DAVID) (Entered: 01/26/2007)
01/30/2007	<u>15</u>	MOTION to Amend/Correct <i>Complaint</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.Memorandum of Law in Support of Motion to Amend Complaint. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>)(LOCKE, CYNTHIA) (FILED IN ERROR BY ATTORNEY; SEE #16)Modified on 1/30/2007 (le,). (Entered: 01/30/2007)
01/30/2007	<u>16</u>	First MOTION to Amend/Correct <u>1</u> Complaint filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.Memorandum of Law in Support of Motion to Amend Complaint. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>)(LOCKE, CYNTHIA) (Entered: 01/30/2007)
02/13/2007	<u>17</u>	Memorandum of Law Opposing Motion re <u>16</u> First MOTION to Amend/Correct <u>1</u> Complaint filed by HANNABERY ELECTRIC, INC. (SPITKO, DAVID) Modified on 2/14/2007 (np). (Entered: 02/13/2007)
02/13/2007	<u>18</u>	That SDaubert be removed as counsel and an attorney to receive notice by HANNABERY ELECTRIC, INC.. (SPITKO, DAVID) (Entered: 02/13/2007)
03/07/2007	<u>19</u>	NOTICE of Hearing: TELEPHONE STATUS CONFERENCE SET FOR 3/16/2007 AT 11:30 AM BEFORE HONORABLE THOMAS M. GOLDEN. COUNSEL FOR PLAINTIFF SHALL INITIATE CALL TO ALL PARTIES AND TO READING CHAMBERS.(tl,) (Entered: 03/07/2007)
03/07/2007	<u>20</u>	REVISED NOTICE of Hearing: STATUS CONFERENCE PREVIOUSLY SCHEDULED FOR 3/16/2007 IS RESCHEDULED TO 3/14/2007 AT 09:30 AM BEFORE HONORABLE THOMAS M. GOLDEN. COUNSEL FOR PLAINTIFF SHALL INITIATE CALL TO ALL PARTIES AND READING CHAMBERS.(tl,) (Entered: 03/07/2007)
03/08/2007	<u>21</u>	REVISED NOTICE of Hearing: TELEPHONE CONFERENCE SET FOR 3/14/2007 AT 9:30 IS CHANGED TO 09:00 AM BEFORE HONORABLE THOMAS M. GOLDEN. COUNSEL FOR PLAINTIFF SHALL INITIATE CALL TO ALL

		PARTIES AND TO READING CHAMBERS.(tl,) (Entered: 03/08/2007)
03/14/2007	<u>22</u>	NOTICE of Hearing: RULE 16 TELEPHONE CONFERENCE SET FOR 4/10/2007 AT 11:30 AM BEFORE HONORABLE THOMAS M. GOLDEN. COUNSEL FOR PLAINTIFF SHALL INITIATE CALL TO ALL PARTIES AND TO READING CHAMBERS.(tl,) (Entered: 03/14/2007)
03/15/2007	<u>23</u>	Minute Entry for proceedings held before Judge THOMAS M. GOLDEN : Telephone Status Conference held on 3/14/07 Court Reporter: None. (er,) Additional attachment(s) added on 8/8/2007 (cw,). (Entered: 03/15/2007)
03/15/2007	<u>24</u>	ORDER THAT HANNABERY ELECTRIC, INC. SHALL FILE A CONFORMING DISCLOSURE FORM WITHIN 10 DAYS OF THE DATE OF THIS ORDER. FAILURE TO COMPLY WITH THIS ORDER WILL PROMPT IMPOSITION OF SANCTIONS. SIGNED BY JUDGE THOMAS M. GOLDEN ON 3/14/07. 3/15/07 ENTERED AND COPIES MAILED, E-MAILED.(er,) Additional attachment(s) added on 3/15/2007 (er,). (Entered: 03/15/2007)
03/15/2007	<u>25</u>	ORDER THAT PLAINTIFF'S MOTION TO AMEND/CORRECT COMPLAINT IS GRANTED IN PART AND DENIED IN PART. THE CLERK OF COURT IS DIRECTED TO FILE PLAINTIFF'S FIRST AMENDED COMPLAINT, ETC. SIGNED BY JUDGE THOMAS M. GOLDEN ON 3/14/07.3/15/07 ENTERED AND COPIES MAILED, E-MAILED. (er,) (Entered: 03/15/2007)
03/15/2007	<u>26</u>	AMENDED COMPLAINT against HANNABERY ELECTRIC, INC. filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(er,) (Entered: 03/15/2007)
03/15/2007	<u>27</u>	Disclosure Statement Form pursuant to FRCP 7.1 by HANNABERY ELECTRIC, INC..(SPITKO, DAVID) (Entered: 03/15/2007)
04/09/2007	<u>28</u>	ORDER THAT THE MOTION FOR LEAVE TO INTERVENE AS PLAINTIFFS FILED BY GARY HALL, MICHAEL MONROE, AND JAMES O'BRIEN IS DENIED. SIGNED BY JUDGE THOMAS M. GOLDEN ON 4/5/07. 4/9/07 ENTERED AND COPIES MAILED, E-MAILED.(er,) (Entered: 04/09/2007)
04/12/2007	<u>29</u>	Minute Entry for proceedings held before Judge THOMAS M. GOLDEN : Telephone Conference held on 4/10/07. Court Reporter: None. (er,) Additional attachment(s) added on 8/8/2007 (cw,). (Entered: 04/12/2007)
04/12/2007	<u>30</u>	ORDER THAT THE PARTIES REFERRED TO MAGISTRATE JUDGE ARNOLD C. RAPOPORT TO SCHEDULE AND CONDUCT A SETTLEMENT CONFERENCE. SIGNED BY JUDGE THOMAS M. GOLDEN ON 4/11/07. 4/12/07 ENTERED AND COPIES MAILED, E-MAILED.(er,) (Entered: 04/12/2007)
04/12/2007	<u>31</u>	ORDER THAT COUNSEL FOR ALL PARTIES ARE STRONGLY ENCOURAGED TO RESOLVE DISCOVERY DISPUTES BY THEMSELVES, ETC. ALL FACT DISCOVERY SHALL BE COMPLETED BY 10/15/07, ETC. JURY SELECTION WILL COMMENCE ON 1/17/08, AT 9:30 A.M. AT THE U.S. COURTHOUSE, PHILADELPHIA, PA. THE TRIAL WILL CONTINUE 1/22/08 UNTIL COMPLETION AT THE READING STATION, THE MADISON BUILDING, ROOM 401, READING, PA. NO LATER THAN 12/14/07, ALL PARTIES SHALL PREPARE AND FILE WITH THE CLERK OF COURT, WITH 2 COPIES TO THE COURT, THEIR PRETRIAL MEMORANDA, ETC. ALL MOTIONS IN LIMINE SHALL BE FILED WITH THE CLERK OF THE COURT AND 2 COPIES SHALL BE DELIVERED TO THE COURT NO LATER THAN 1/7/08, ETC. A FINAL PRETRIAL CONFERENCE WILL BE HELD ON 1/10/08 AT 9:30 A.M. AT THE READING STATION, ETC. SIGNED BY JUDGE THOMAS M. GOLDEN ON 4/11/07. 4/12/07 ENTERED AND COPIES MAILED, E-MAILED.(er,) (Entered: 04/12/2007)
05/30/2007	<u>32</u>	Minute Entry for proceedings held before Judge ARNOLD C. RAPOPORT : An In Person Settlement Conference held on 5/29/07. Court Reporter: None. (er,) Additional attachment(s) added on 8/8/2007 (cw,). (Entered: 05/30/2007)
08/14/2007	33	Minute Entry for proceedings held before Judge ARNOLD C. RAPOPORT : Telephone Settlement Conference held on 8/13/07. Court Reporter: None. (er,) (Entered: 08/14/2007)

11/15/2007	<u>34</u>	MOTION to Consolidate Cases filed by HANNABERY ELECTRIC, INC..with Proposed Order.(SPITKO, DAVID) (Entered: 11/15/2007)
11/27/2007	<u>35</u>	ORDER THAT THE PARTIES INDICATING NO OPPOSITION, DEFT'S. MOTION TO CONSOLIDATE, FILED IN CIVIL ACTION NUMBER 06-4331, IS GRANTED; CIVIL ACTION NUMBER 07-3117 SHALL BE CONSOLIDATED WITH CIVIL ACTION NUMBER 06-4331 FOR PURPOSES OF ALL PROCEEDINGS AFTER THIS DATE, AND ALL PROCEEDINGS, MOTIONS, AND OTHER FILINGS PERTAINING TO ANY OF THE CONSOLIDATED MATTER SHALL BE DOCKETED BY THE CLERK OF COURT UNDER CIVIL ACTION NUMBER 06-4331; AND THE CLERK IS DIRECTED TO PLACE ALL DOCUMENTS IN THE CASE FILE FOR CIVIL ACTION NUMBER 07-3117 INTO THE CASE FILE FOR CIVIL ACTION NUMBER 06-4331. SIGNED BY JUDGE THOMAS M. GOLDEN ON 11/21/07.11/28/07 ENTERED AND COPIES E-MAILED.(er,) (Entered: 11/28/2007)
11/27/2007		All docket papers from 07-3117 were placed in 06-4331. (er,) (Entered: 12/07/2007)
12/03/2007	<u>36</u>	JURY TRIAL SCHEDULING ORDER THAT AMENDED PLEADINGS ARE DUE BY 12/21/2007; DISCOVERY SHALL BE COMPLETED BY 3/30/2008; DEFENDANT PRETRIAL MEMO IS DUE BY 7/2/2008; PLAINTIFF PRETRIAL MEMO IS DUE BY 7/2/2008; A FINAL PRETRIAL CONFERENCE IS SCHEDULED FOR 7/30/2008 AT 9:30 A.M. BEFORE THE HONORABLE THOMAS M. GOLDEN; ALL MOTIONS SHALL BE FILED AND SERVED BY 7/30/2008; JURY SELECTION IS SCHEDULED FOR 8/14/2008 AT 9:30 A.M. IN COURT BEFORE THE HONORABLE THOMAS M. GOLDEN AND A JURY TRIAL IS SCHEDULED FOR 8/18/2008 AT 9:30 AM IN COURT BEFORE THE HONORABLE THOMAS M. GOLDEN. SIGNED BY HONORABLE THOMAS M. GOLDEN ON 11/30/07. (REF. 07-3117) 12/3/07 ENTERED AND COPIES E-MAILED.(ky,) (Entered: 12/03/2007)
12/06/2007	<u>37</u>	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY HONORABLE THOMAS M. GOLDEN ON 12/06/2007. 12/06/2007 ENTERED AND COPIES MAILED, E-MAILED AND FAXED.(silfies,) (Entered: 12/06/2007)
12/21/2007	<u>38</u>	SETTLEMENT AGREEMENT <i>Consent Decree</i> by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (LOCKE, CYNTHIA) (Entered: 12/21/2007)
01/08/2008	<u>39</u>	CONSENT DECREE AND ORDER THAT THIS DECREE IS ENTERED INTO IN COMPROMISE OF THE CLAIMS ASSERTED IN THIS CIVIL ACTION AND SHALL, UNDER NO CIRCUMSTANCES, BE CONSTRUED OR DEEMED TO BE EVIDENCE OR ADMITTED AS EVIDENCE, ETC. SIGNED BY HONORABLE THOMAS M. GOLDEN ON 1/4/08. 1/8/08 ENTERED AND COPIES E-MAILED. (Entered: 01/08/2008)
02/26/2008	<u>40</u>	ORDER THAT ALL PARTIES SHALL APPEAR BEFORE THE COURT ON 3/3/08 AT 10:30 A.M. AT THE U.S. COURTHOUSE (COURTROOM TBA), PHILADELPHIA, PA TO ADVISE THE COURT OF THE PARTIES' STATUS WITH RESPECT TO FULFILLING THEIR OBLIGATIONS UNDER THE CONSENT DECREE. SIGNED BY HONORABLE THOMAS M. GOLDEN ON 2/25/08. 2/26/08 ENTERED AND COPIES E-MAILED.(er,) (Entered: 02/26/2008)
03/04/2008	<u>41</u>	ORDER THAT THE PREVIOUSLY SCHEDULED 3/3/08 HEARING IS VACATED PENDING THE RESOLUTION OF COMPLIANCE WITH THE TERMS OF SETTLEMENT. IT IS FURTHER ORDERED THAT THE PARTIES SHALL FILE A JOINT REPORT BY 3/17/08 ADVISING THE COURT OF THE PARTIES' COMPLIANCE WITH THE TERMS OF SETTLEMENT. SIGNED BY HONORABLE THOMAS M. GOLDEN ON 2/28/08. 3/4/08 ENTERED AND COPIES E-MAILED.(er,) (Entered: 03/04/2008)
04/07/2008	<u>42</u>	First MOTION to Enforce Judgment, First MOTION for Sanctions filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.Memorandum.(O'BOYLE, JUDITH) (Entered: 04/07/2008)
04/11/2008	<u>43</u>	EXHIBITS A-N, IN SUPPORT OF MOTION TO ENFORCE CONSENT DECREE by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(rf,) (Entered: 04/11/2008)

04/29/2008	<u>44</u>	NOTICE of TELEPHONE STATUS CONFERENCE: A TELEPHONE STATUS CONFERENCE SET FOR WEDNESDAY, 4/30/2008 AT 10:00 AM BEFORE HONORABLE THOMAS M. GOLDEN. THE COURT DIRECTS PLAINTIFF'S COUNSEL TO INITIATE THE CALL TO ALL PARTIES INVOLVED AND TO CHAMBERS AT 610-320-5097.(silfies,) (Entered: 04/29/2008)
04/30/2008	45	Minute Entry for proceedings held before THE HONORABLE THOMAS M. GOLDEN re: A Telephone Status Conference was held on 4/30/08 and was not placed on the record. (ky,) (Entered: 05/01/2008)
06/10/2008	<u>46</u>	ORDER THAT THE EEOC'S MOTION TO ENFORCE JUDGMENT IS DENIED AS MOOT. SIGNED BY HONORABLE THOMAS M. GOLDEN ON 6/9/08.6/10/08 ENTERED AND COPIES E-MAILED.(er,) (Entered: 06/10/2008)