

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:03-cv-01429-GP**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v. HORA, INC. et al
Assigned to: HONORABLE GENE E.K. PRATTER
Case in other court: U.S. COURT OF APPEAL FOR THE THIRD CIRCUIT, 05-05393
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 03/06/2003
Date Terminated: 10/14/2005
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

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V.

Defendant

HORA, INC.
doing business as
DAYS INN

represented by **ANDREW N. HOWE**
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Defendant

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V.

Movant

DEBRA M RICHARDSON

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Intervenor

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Date Filed	#	Docket Text
03/06/2003	<u>1</u>	COMPLAINT against HORA, INC., MARSHALL MANAGEMENT, INC., filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(aam,) Additional attachment(s) added on 3/10/2003 (ldb,). (Entered: 03/06/2003)
03/06/2003		Summons Issued as to HORA, INC., MARSHALL MANAGEMENT, INC..2 mailed To: Counsel on 3/6/03 (aam,) (Entered: 03/06/2003)
03/06/2003		DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (aam,) (Entered: 03/06/2003)
04/01/2003	<u>2</u>	UNOPPOSED MOTION FOR ADMISSION PRO HAC VICE OF HOWARD K. KURMAND AND LAURA L. HOPPENSTEIN FILED BY MARSHALL MANAGEMENT, INC.,DECLARATIONS, CERTIFICATE OF SERVICE.(afm,) (Entered: 04/02/2003)
04/10/2003	3	SUMMONS Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re: MARTY STRAKA served Summons and Complaint upon Albert Arnold, Manager on behalf of HORA, INC. by PERSONAL SERVICE 3/26/2003, answer due 4/15/2003. (tj,) (Entered: 04/10/2003)
04/10/2003	4	SUMMONS Returned Executed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION re: BRIAN KEITH SPEED served Summons and Complaint upon Michael Marshall on behalf of MARSHALL MANAGEMENT, INC. by PERSONAL SERVICE on 3/19/2003, answer due 4/8/2003. (tj,) (Entered: 04/10/2003)
04/14/2003	5	ORDER THAT DEFENDANT'S MOTION FOR ADMISSION PRO HAC VICE OF HOWARD K. KURMAN AND LAURA L. HOPPENSTEIN IS GRANTED. SIGNED BY JUDGE FRANKLIN S. VAN ANTWERPEN ON 4/11/03.4/15/03 ENTERED AND COPIES MAILED. (afm,) (Entered: 04/15/2003)
04/14/2003	<u>6</u>	STIPULATION AND ORDER THAT DEFENDANTS' HORA, INC. AND MARSHALL MANAGEMENT, INC. SHALL HAVE UNTIL 4/23/03 TO RESPOND TO PLAINTIFF'S COMPLAINT. SIGNED BY JUDGE FRANKLIN S. VAN ANTWERPEN ON 4/11/03. 4/15/03 ENTERED AND COPIES MAILED.(afm,) (Entered: 04/15/2003)
04/22/2003	<u>7</u>	ANSWER to Complaint together with AFFIRMATIVE DEFENSES by MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE.(afm,) (Entered: 04/22/2003)
04/22/2003		Issue Joined (afm,) (Entered: 04/22/2003)
04/23/2003	<u>8</u>	ANSWER to Complaint by HORA, INC., Certificate of Service.(er,) Additional attachment(s) added on 5/30/2003 (vw,). (Entered: 04/23/2003)
05/19/2003	9	Disclosure Statement by MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE.(afm,) (Entered: 05/19/2003)
05/19/2003	10	Disclosure Statement, Certificate of Service by HORA, INC. (er,) (Entered: 05/19/2003)

06/09/2003	<u>11</u>	ORDER THAT ALL DISCOVERY SHALL BE COMPLETED BY MAY 3, 2004, FOLLOWING WHICH THIS CASE SHALL BE PLACED IN THE TRIAL POOL IN THE LEGAL INTELLIGENCER. SIGNED BY JUDGE FRANKLIN S. VAN ANTWERPEN ON 6/9/03. 6/10/03 ENTERED AND COPIES FORWARDED BY CHAMBERS. (fdc) (Entered: 06/10/2003)
09/15/2003	<u>12</u>	MOTION TO INTERVENE FILED BY MANESSTA BEVERLY, MEMORANDUM, CERTIFICATE OF SERVICE.(er,) Additional attachment(s) added on 10/14/2003 (er,). Additional attachment(s) added on 10/14/2003 (er,). (Entered: 09/15/2003)
09/22/2003	<u>13</u>	JOINT RESPONSE TO MANESSTA BEVERLY'S MOTION TO INTERVENE FILED BY HORA, INC., MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE. (afm,) (Entered: 09/23/2003)
10/08/2003	<u>14</u>	ORDER THAT THE MOTION TO INTERVENE BY MANESSTA BEVERLY IS GRANTED AND THE COMPLAINT ATTACHED TO MOTION SHALL BE FILED AND THE DEFENDANTS ARE DIRECTED TO RESPOND WITHIN 21 DAYS OF THIS ORDER.. SIGNED BY JUDGE FRANKLIN S. VAN ANTWERPEN ON 10/7/03.10/8/03 ENTERED AND COPIES MAILED. (afm,) (Entered: 10/08/2003)
10/09/2003	<u>15</u>	Intervenor COMPLAINT , filed by MANESSTA BEVERLY with JURY DEMAND.(afm,) Additional attachment(s) added on 10/14/2003 (er,). (Entered: 10/09/2003)
10/09/2003		2 Summons Issued as to Intervenor Complaint HORA, INC., MARSHALL MANAGEMENT, INC.. Forwarded To: counsel on 10/9/03 (afm,) (Entered: 10/09/2003)
10/28/2003	<u>16</u>	ANSWER to Intervenor Complaint with AFFIRMATIVE DEFENSES by MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE.(afm,) (Entered: 10/28/2003)
10/29/2003	<u>17</u>	ANSWER to Complaint together with of Defendant, Hora, Inc., d/b/a Days Inn to Intervenor Manessta Beverly's Complaint with Jury Demand by HORA, INC. with Affirmative Defenses, Certificate of Service. (HOWE, ANDREW) Modified on 10/30/2003 (np). (Entered: 10/29/2003)
12/19/2003	18	CERTIFICATE OF SERVICE re: FIRST SET OF INTERROGATORIES TO INTERVENOR PLAINTIFFS MANESSTA BEVERLY AND EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ; FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS TO INTERVENOR PLAINTIFFS MANESSTA BEVERLY AND EQUAL EMPLOYMENT OPPORTUNITY COMMISSION was served via First Class Mail by MARSHALL MANAGEMENT, INC. (afm,) (Entered: 12/19/2003)
01/20/2004	<u>19</u>	NOTICE of Service of Discovery Responses by HORA, INC. Certificate of Service(stb,) (Entered: 01/21/2004)
01/22/2004	<u>20</u>	NOTICE of Appearance by SAMANTHA M. PEIRCE on behalf of HORA, INC. with Certificate of Service. (stb,) (Entered: 01/22/2004)
03/30/2004	21	STIPULATION AND ORDER THAT DISCOVERY IS EXTENDED UNTIL JULY 3, 2004. SIGNED BY JUDGE FRANKLIN S. VAN ANTWERPEN ON 3/29/04. 3/30/04 ENTERED AND COPIES MAILED. (fdc) (Entered: 03/30/2004)
04/22/2004	22	Minute Entry for proceedings held before Judge ARNOLD C. RAPOPORT re: A Telephonic Discovery Conference was conducted in this case on 4/21/04. The proceeding was not placed on the record. (ky,) (Entered: 04/22/2004)
05/19/2004	23	MOTION TO QUASH OR MODIFY SUBPOENA ISSUED ON BEHALF OF DEFENDANT, MARSHALL MANAGEMENT, INC. FOR PROTECTIVE ORDER AND FOR SANCTIONS AGAINST HOWARD K. KURMAN AND OFFIT KURMAN ATTORNEYS AT LAW BY DEBRA M RICHARDSON.MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE (EXHIBITS ATTACHED, 2 VOLUMES) (EXHIBIT 1 FILED UNDER SEAL)(stb,) (Entered: 05/19/2004)

05/27/2004	24	Minute Entry for proceedings held before Judge ARNOLD C. RAPOPORT : Telephonic Discovery Hearing held on 5/27/2004. Court Reporter: None (er,) (Entered: 05/28/2004)
06/08/2004	<u>25</u>	ORDER THAT THE MOTION FOR SANCTIONS AGAINST HOWARD K. KURMAN AND OFFIT, KURMAN IS DENIED; THE MOTION TO QUASH OR MODIFY SUBPOENA IS DENIED AS MOOT; THE MOTION FOR PROTECTIVE ORDER IS GRANTED IN PART AND DENIED IN PART, AND MOVANT'S COUNSEL SHALL IMMEDIATELY SUBMIT THE REDACTED, ALBEIT TRUNCATED, E-MAIL CORRESPONDENCE TO OPPOSING COUNSEL. SIGNED BY JUDGE ARNOLD C. RAPOPORT ON 6/8/04.6/9/04 ENTERED AND COPIES MAILED.(er,) (Entered: 06/09/2004)
06/24/2004	26	Objections by DEBRA M RICHARDSON to order of MAGISTRATE JUDGE ARNOLD C. RAPOPORT ENTERED JUNE 9, 2004, Memorandum of Law in Support, Exhibits, Certificate of Service. (ky,) (Entered: 06/24/2004)
07/06/2004	<u>27</u>	Response to <i>Objections of Debra M. Richardson to Order of Magistrate Judge Arnold C. Rapoport Entered June 9, 2004</i> by HORA, INC., Certificate of Service. (PEIRCE, SAMANTHA) Modified on 7/7/2004 (fh) (Entered: 07/06/2004)
07/06/2004	<u>28</u>	Amended Certificate of Service by HORA, INC.(PEIRCE, SAMANTHA) Modified on 7/7/2004 (fh). (Entered: 07/06/2004)
07/08/2004	<u>29</u>	ORDER THAT THIS CASE IS REASSIGNED FROM JUDGE FRANKLIN S. VAN ANTWERPEN TO JUDGE GENE E.K. PRATTER FOR ALL FURTHER PROCEEDINGS. SIGNED BY CLERK OF COURT MICHAEL E. KUNZ ON 7/7/04. 7/8/04 ENTERED AND COPIES MAILED AND FAXED.(mar,) (Entered: 07/08/2004)
07/08/2004	<u>30</u>	RESPONSE to OBJECTIONS OF DEBRA M. RICHARDSON TO ORDER OF MAGISTRATE JUDGE RAPOPORT ENTERED 6/9/04 by MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE. (afm,) (Entered: 07/09/2004)
07/13/2004	<u>31</u>	ORDER THAT UPON CONSIDERATION OF THE OBJECTIONS OF THE MOVANT, DEBRA M. RICHARDSON, TO THE JUNE 9, 2004 ORDER OF THIS COURT, AND THE RESPONSES THERETO, IT IS HEREBY ORDERED THAT THE OBJECTIONS ARE DENIED AS UNTIMELY PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 6 AND 72(a) AND THE LOCAL RULES OF CIVIL PROCEDURE 7.1(g) AND 72.1 IV(a). SIGNED BY JUDGE ARNOLD C. RAPOPORT ON 7/13/04. 7/13/04 ENTERED AND COPIES MAILED AND FAXED.(ky,) (Entered: 07/13/2004)
07/27/2004	32	Objections to ORDER of MAGISTRATE JUDGE ARNOLD C. RAPOPORT entered 7/13/04 by DEBRA M RICHARDSON, MEMORANDUM, CERTIFICATE OF SERVICE. (afm,) (Entered: 07/27/2004)
07/30/2004	<u>33</u>	Response in opposition to <i>Objections of Debra M. Richardson to Order of Magistrate Judge Arnold C. Rapoport Entered July 13, 2004</i> by HORA, INC., Certificate of Service. (Attachments: # <u>1</u> Exhibit) (PEIRCE, SAMANTHA) Modified on 8/3/2004 (np). (Entered: 07/30/2004)
08/02/2004	<u>34</u>	Response to Objections of DEBRA M. RICHARDSON to the ORDER OF MAGISTRATE JUDGE ARNOLD C. RAPOPORT entered 7/13/04 by MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> EXHIBIT 1# <u>2</u> COS) (afm,) (Entered: 08/03/2004)
08/05/2004	<u>35</u>	ORDER THAT THE OBJECTIONS OF DEBRA M. RICHARDSON TO ORDER OF MAGISTRATE JUDGE RAPOPORT WILL BE CONSIDERED AS A MOTION FOR RECONSIDERATION AND REFERRED TO MAGISTRATE JUDGE RAPOPORT.. SIGNED BY JUDGE GENE E.K. PRATTER ON 8/4/04. 8/6/04 ENTERED AND COPIES MAILED AND FAXED.(afm,) (Entered: 08/06/2004)
08/12/2004	<u>36</u>	ORDER THAT MOVANT'S OBJECTIONS TO THE 7/13/04 ORDER OF THIS COURT AND THE RESPONSES THERETO ARE DENIED AND DEFENDANT'S REQUESTS FOR SANCTIONS AGAINST MOVANT AND HER COUNSEL ARE DENIED. SIGNED BY JUDGE ARNOLD C. RAPOPORT ON 8/12/04. 8/12/04 ENTERED AND COPIES MAILED.(er,) (Entered: 08/12/2004)

10/01/2004	<u>37</u>	NOTICE of Hearing: TELEPHONE CONFERENCE SET FOR 10/18/2004 03:00 PM IN JUDGE'S CHAMBERS BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 10/01/2004)
11/05/2004	<u>38</u>	NOTICE of Hearing: SETTLEMENT CONFERENCE SET FOR 12/15/2004 11:00 AM IN JUDGE'S CHAMBERS BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 11/05/2004)
12/14/2004	<u>39</u>	NOTICE of Hearing: SETTLEMENT CONFERENCE SET FOR 1/4/2005 02:00 PM IN JUDGE'S CHAMBERS BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 12/14/2004)
01/14/2005	<u>40</u>	NOTICE of Hearing: SETTLEMENT CONFERENCE SET FOR 2/10/2005 04:45 PM IN JUDGE'S CHAMBERS BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 01/14/2005)
02/10/2005	41	Minute Entry for proceedings held before Judge GENE E.K. PRATTER : Settlement Conference held on 2/10/05. (afm,) (Entered: 02/10/2005)
02/18/2005	<u>42</u>	SCHEDULING ORDER THAT A FINAL PRETRIAL CONFERENCE WILL BE HELD ON 5/3/2005 AT 09:30 AM IN CHAMBERS ROOM 5118; ANY MOTIONS FOR SUMMARY JUDGMENT DUE BY 3/18/2005; PLAINTIFF PRETRIAL MEMO DUE BY 4/15/2005; DEFENDANT PRETRIAL MEMO DUE BY 4/22/2005; THIS CASE WILL BE PLACED IN TRIAL POOL ON 5/10/2005.. SIGNED BY JUDGE GENE E.K. PRATTER ON 12/18/05. 2/22/05 ENTERED AND COPIES MAILED AND E-MAILED.(afm,) (Entered: 02/22/2005)
03/08/2005	<u>43</u>	JOINT MOTION TO DISQUALIFY JANA R. BARNETT, ESQUIRE AS COUNSEL FOR INTERVENTOR PLAINTIFF, MANESSTA BEVERLY FILED BY HORA, INC., MARSHALL MANAGEMENT, INC.,MEMORANDUM, CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> MEMO# <u>2</u> EXHIBIT 1# <u>3</u> EXHIBIT 2# <u>4</u> EXHIBIT 3)(afm,) (Entered: 03/09/2005)
03/18/2005	<u>44</u>	MOTION FOR SUMMARY JUDGMENT FILED BY HORA, INC., MARSHALL MANAGEMENT, INC.,MEMORANDUM, STATEMENT OF MATERIAL FACTS, CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> MEMO# <u>2</u> STATEMENT# <u>3</u> EXHIBIT 1# <u>4</u> EXHIBIT 10# <u>5</u> EXHIBIT 11# <u>6</u> EXHIBIT 12# <u>7</u> EXHIBIT 13# <u>8</u> EXHIBIT 14# <u>9</u> EXHIBIT 15# <u>10</u> EXHIBIT 16# <u>11</u> EXHIBIT 17# <u>12</u> EXHIBIT 18# <u>13</u> EXHIBIT 19# <u>14</u> EXHIBIT 2# <u>15</u> EXHIBIT 20# <u>16</u> EXHIBIT 21# <u>17</u> EXHIBIT 22# <u>18</u> EXHIBIT 23# <u>19</u> EXHIBIT 24# <u>20</u> EXHIBIT 25# <u>21</u> EXHIBIT 26# <u>22</u> EXHIBIT 27# <u>23</u> EXHIBIT 28# <u>24</u> EXHIBIT 29# <u>25</u> EXHIBIT 3# <u>26</u> EXHIBIT 30# <u>27</u> EXHIBIT 31# <u>28</u> EXHIBIT 32# <u>29</u> EXHIBIT 4# <u>30</u> EXHIBIT 5# <u>31</u> EXHIBIT 6# <u>32</u> EXHIBIT 7# <u>33</u> EXHIBIT 8# <u>34</u> EXHIBIT 9)(afm,) (Entered: 03/21/2005)
03/23/2005	<u>45</u>	RESPONSE to Motion re <u>43</u> MOTION to Disqualify Counsel filed by MANESSTA BEVERLY. (Attachments: # <u>1</u> Exhibit)(BARNETT, JANA) (Entered: 03/23/2005)
03/31/2005	<u>46</u>	Letter RE: RESPONSE in Opposition re <u>43</u> MOTION to Disqualify Counsel <i>Barnett</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (EDGE, DAWN) Modified on 4/1/2005 (np). (Entered: 03/31/2005)
03/31/2005	<u>47</u>	NOTICE of Hearing on Motion <u>43</u> MOTION to Disqualify Counsel: MOTION HEARING SET FOR 4/15/2005 09:15 AM IN COURTROOM BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 03/31/2005)
04/04/2005	<u>48</u>	Memorandum in Support of Opposition re <u>44</u> MOTION for Summary Judgment filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Certificate of Service. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Supplement) (EDGE, DAWN) Modified on 4/5/2005 (np). (Entered: 04/04/2005)
04/04/2005	<u>49</u>	RESPONSE to Motion re <u>44</u> MOTION for Summary Judgment (<i>with response to facts and exhibits filed separately</i>) filed by MANESSTA BEVERLY. (BARNETT, JANA) (Entered: 04/04/2005)
04/04/2005	<u>50</u>	RESPONSE to Statement of Material Facts re <u>44</u> MOTION for Summary Judgment (<i>Response to Facts, with exhibits sent to the Clerk</i>) filed by MANESSTA BEVERLY. (BARNETT, JANA) Modified on 4/5/2005 (np). (Entered: 04/04/2005)

04/04/2005	51	EXHIBITS 1–26 of plaintiff's Opposition to defendant HORA AND MARSHALL'S MOTION FOR SUMMARY JUDGMENT by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.. (afm,) (Entered: 04/05/2005)
04/14/2005	<u>52</u>	ORDER THAT PRIOR TO THE HEARING THE PARTIES SHALL PROVIDE THE COURT WITH A COPY OF MS. BARNETT'S LETTER TO THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, DATED 11/18/02.. SIGNED BY JUDGE GENE E.K. PRATTER ON 4/14/05. 4/15/05 ENTERED AND COPIES MAILED AND E-MAILED.(afm,) (Entered: 04/15/2005)
04/15/2005	53	Minute Entry for proceedings held before Judge GENE E.K. PRATTER : Motion Hearing held on 4/15/05 re <u>43</u> MOTION to Disqualify Counsel filed by HORA, INC., MARSHALL MANAGEMENT, INC., (afm,) (Entered: 04/15/2005)
04/18/2005	54	Replacement Exhibit 29 to defendant's JOINT MOTION FOR SUMMARY JUDGMENT by HORA, INC., MARSHALL MANAGEMENT, INC... (afm,) (Entered: 04/18/2005)
04/22/2005	<u>55</u>	Memorandum (Supplemental) in Support of EEOC's Opposition to Defendants' Joint Motion to Disqualify Jana Barnett, Esq. re <u>43</u> MOTION to Disqualify Counsel <i>Jana Barnett, Esq.</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (EDGE, DAWN) (Entered: 04/22/2005)
04/22/2005	<u>56</u>	RESPONSE in Opposition re <u>43</u> MOTION to Disqualify Counsel (<i>Supplemental</i>) filed by MANESSTA BEVERLY. (BARNETT, JANA) (Entered: 04/22/2005)
04/22/2005	57	TRANSCRIPT of Proceedings held on 4/15/05 before Judge HONORABLE GENE E.K. PRATTER. Court Reporter: ESR. (afm,) (Entered: 04/25/2005)
04/22/2005	<u>58</u>	SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF THEIR JOINT MOTION TO DISQUALIFY JANA R. BARNETT, ESQUIRE AS COUNSEL FOR INTERVENOR PLAINTIFF MANESSTA BEVERLY filed by HORA, INC., MARSHALL MANAGEMENT, INC., CERTIFICATE OF SERVICE. (afm,) (Entered: 04/25/2005)
06/09/2005	<u>59</u>	MEMORANDUM AND ORDER THAT BECAUSE THE COURT FINDS VIOLATIONS OF PENNSYLVANIA RULES OF PROFESSIONAL CONDUCT 4.2, 4.4 AND 8.4, CONSISTENT WITH THE REASONING DICUSSED IN THE ACCOMPANYING MEMORANDUM, JANA R. BARNETT IS DISQUALIFIED; ALL PARTIES SHALL HAVE UNTIL 9/1/05 TO FILE SUPPLEMENTAL MATERIAL WITH REGARD TO THE PENDING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, ETC..... . SIGNED BY JUDGE GENE E.K. PRATTER ON 6/8/05.6/9/05 ENTERED AND COPIES MAILED AND E-MAILED. (afm,) (Entered: 06/09/2005)
06/23/2005	<u>60</u>	MOTION for Certificate of Appealability <i>filed by Jana R. Barnett, Pro Se, and not on behalf of Manessta Beverly</i> filed by MANESSTA BEVERLY.Memorandum.(BARNETT, JANA) (Entered: 06/23/2005)
06/28/2005	<u>61</u>	RESPONSE to Motion re <u>60</u> MOTION for Certificate of Appealability <i>filed by Jana R. Barnett, Pro Se, and not on behalf of Manessta Beverly</i> filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Affidavit in Support of EEOC's Response to Barnett Motion to Amend Order and Grant Certification)(EDGE, DAWN) (Entered: 06/28/2005)
07/07/2005	<u>62</u>	RESPONSE in Opposition re <u>60</u> MOTION for Certificate of Appealability <i>filed by Jana R. Barnett, Pro Se, and not on behalf of Manessta Beverly and Certificate of Service</i> filed by HORA, INC., MARSHALL MANAGEMENT, INC.. (Attachments: # <u>1</u> Exhibit Proposed Order for Response in Opposition to Motion# <u>2</u> Exhibit Affidavit of Andrew N. Howe, Esquire)(HOWE, ANDREW) (Entered: 07/07/2005)
07/11/2005	<u>63</u>	REVISED SCHEDULING ORDER (JURY TRIAL) THAT A FINAL PRETRIAL CONFERENCE WILL BE HELD ON 11/4/2005 AT 09:15 AM IN CHAMBERS, ROOM 5118; PLAINTIFF PRETRIAL MEMO DUE BY 10/21/2005; DEFENDANT PRETRIAL MEMO DUE BY 10/28/2005; THIS CASE WILL BE PLACED ON THE COURT'S TRIAL POOL ON 11/15/2005.. SIGNED BY JUDGE GENE E.K. PRATTER ON 7/11/05. 7/12/05 ENTERED AND COPIES MAILED AND E-MAILED.(afm,) (Entered: 07/12/2005)

07/22/2005	<u>64</u>	MEMORANDUM AND ORDER THAT BARNETT'S MOTION FOR CERTIFICATE OF APPEALABILITY IS DENIED.. SIGNED BY JUDGE GENE E.K. PRATTER ON 7/22/05.7/25/05 ENTERED AND COPIES MAILED AND E-MAILED. (afm,) (Entered: 07/25/2005)
07/26/2005	<u>65</u>	NOTICE of Appearance by KAREN MARIE IBACH on behalf of MARSHALL MANAGEMENT, INC. with Certificate of Service (IBACH, KAREN) (Entered: 07/26/2005)
09/01/2005	<u>66</u>	Memorandum (Supplemental) In Support re <u>44</u> MOTION for Summary Judgment <i>and Certificate of Service</i> filed by HORA, INC., MARSHALL MANAGEMENT, INC.. (HOWE, ANDREW) (Entered: 09/01/2005)
09/14/2005	<u>67</u>	NOTICE of Hearing on Motion <u>44</u> MOTION for Summary Judgment: MOTION HEARING SET FOR 10/20/2005 04:30 PM IN COURTROOM BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 09/14/2005)
09/15/2005	<u>68</u>	NOTICE of Rescheduling Hearing on Motion <u>44</u> MOTION for Summary Judgment: MOTION HEARING SET FOR 10/28/2005 10:00 AM IN COURTROOM BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 09/15/2005)
09/29/2005	<u>69</u>	NOTICE of Hearing: TELEPHONE CONFERENCE SET FOR 10/7/2005 03:30 PM IN JUDGE'S CHAMBERS BEFORE HONORABLE GENE E.K. PRATTER. (rab,) (Entered: 09/29/2005)
10/07/2005	<u>70</u>	NOTICE of Appearance by KEVIN I. LOVITZ on behalf of MANESSTA BEVERLY (afm,) Additional attachment(s) added on 1/30/2006 (bj,). (Entered: 10/11/2005)
10/14/2005	<u>71</u>	ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b) 10/14/2005 ENTERED AND COPIES MAILED, E-MAILED AND FAXED.(rab,) (Entered: 10/14/2005)
12/09/2005	<u>72</u>	CONSENT DECREE THAT HORA, INC AND MARSHALL MANAGEMENT, INC. SHALL NOT ENGAGE IN ANY EMPLOYMENT PRACTICE WHICH RETALIATE IN ANY MANNER AGAINST ANY PERSON, INCLUDING MS. BEVERLY, BECUASE OF COOPERATION WITH THE EEOC WITH RESPECT TO THIS ACTION; HORA, INC AND MARSHALL MANAGEMENT, INC. AGEE TO PAY THE SUMM OF \$12,000.00 TO MS. BEVERLY, ETC...; EACH PARTY TO BEAR OWN EXPENSES, COSTS AND ATTORNEY FEES; THIS CONSENT DECREE SHALL FULLY AND FINALLY RESOLVE ALL CLAIMS WIN THIS ACTION.. SIGNED BY JUDGE GENE E.K. PRATTER ON 12/8/05. 12/9/05 ENTERED AND COPIES MAILED.(afm,) (Entered: 12/09/2005)
12/09/2005	<u>73</u>	NOTICE OF APPEAL by MANESSTA BEVERLY. Filing fee \$ 255, receipt number 5116. Copies to Judge, Clerk USCA, Appeals Clerk and All Counsel. (ky,) (Entered: 12/09/2005)
12/09/2005	<u>74</u>	Clerk's Notice to USCA re <u>73</u> Notice of Appeal. (ky,) Additional attachment(s) added on 12/9/2005 (ky,). (Entered: 12/09/2005)
12/14/2005		NOTICE of Docketing Record on Appeal from USCA re <u>73</u> Notice of Appeal filed by MANESSTA BEVERLY,. USCA Case Number 05-5393 (afm,) (Entered: 12/15/2005)
12/23/2005	<u>75</u>	Copy of TPO Form re <u>73</u> Notice of Appeal: (afm,) (Entered: 12/23/2005)
08/20/2007	<u>76</u>	Certified Copy of Judgment of USCA as to <u>73</u> Notice of Appeal filed by MANESSTA BEVERLY dated 06/29/2007 that the Order of the District Court entered on 06/08/2005, be and the same is hereby reversed, all in accordance with the opinion of the Court. Costs taxed against Appellees. (nda) (Entered: 08/21/2007)
09/13/2007	<u>77</u>	ORDER OF USCA DATED 9/13/07 THAT THE ORDER OF THE DISTRICT COURT ENTERED ON 6/8/05, BE AND THE SAME IS HEREBY REVERSED, ALL IN ACCORDANCE WITH THE OPINION OF THIS COURT. COSTS TAXED AGAINST APPELLEES. (rf,) (Entered: 09/14/2007)