

CLOSED, STANDARD

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:03-cv-02967-RB**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
AND DANITA KENT BYRD v. WYETH  
PHARMACEUTICAL  
Assigned to: HONORABLE RONALD L. BUCKWALTER  
Cause: 28:451 Employment Discrimination

Date Filed: 05/07/2003  
Date Terminated: 10/05/2004  
Jury Demand: Plaintiff  
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 S. 5TH ST  
STE 400  
PHILADELPHIA, PA 19106  
215-440-2687  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JUDITH A. O'BOYLE**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
21 S. 5TH ST  
STE 400  
PHILADELPHIA, PA 19106  
215-440-2687  
Email: judith.oboyle@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**TERRENCE R. COOK**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
PHILADELPHIA DISTRICT OFFICE  
21 S. 5TH ST  
STE 400  
PHILADELPHIA, PA 19106  
215-440-2688  
Email: terrence.cook@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**DANITA KENT BYRD**

represented by **CARMEN R. MATOS**  
 STEWART WOOD & MATOS  
 411 CHERRY ST.  
 NORRISTOWN, PA 19401  
 610-277-2520  
 Email: crm617@aol.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**WYETH PHARMACEUTICAL**

represented by **ERIN M. O'NEILL**  
 REED SMITH LLP  
 2500 ONE LIBERTY PL  
 1650 MARKET T  
 PHILADELPHIA, PA 19103  
 215-241-7994  
 Email: EONEILL@REEDSMITH.COM  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JOHN E. QUINN**  
 REED SMITH, LLP  
 2500 ONE LIBERTY PLACE  
 1650 MARKET STREET  
 PHILADELPHIA, PA 19103  
 Email: jqinn@reedsmith.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

| Date Filed | # | Docket Text  |
|------------|---|--|
| 05/07/2003 | 1 | COMPLAINT against WYETH PHARMACEUTICAL, filed by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.(iy, ) (Entered: 05/07/2003)  |
| 05/07/2003 |   | 1 Summons Issued as to WYETH PHARMACEUTICAL. Forwarded To: counsel on 5/7/03 (iy, ) (Entered: 05/07/2003)  |
| 05/07/2003 |   | DEMAND for Trial by Jury by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (iy, ) (Entered: 05/07/2003)  |
| 05/30/2003 | 2 | SUMMONS Returned Executed by WYETH PHARMACEUTICAL re: GERALD TAYLOR served Summons and Complaint upon WYETH PHARMACEUTICAL by PERSONAL SERVICE. WYETH PHARMACEUTICAL served on 5/23/2003, answer due 6/12/2003. (jl, ) (Entered: 05/30/2003) |

|            |                   |  |
|------------|-------------------|--|
| 06/12/2003 | <a href="#">3</a> | NOTICE of Appearance by JOHN E. QUINN on behalf of WYETH PHARMACEUTICAL with CERTIFICATE OF SERVICE. (jl, ) Additional attachment(s) added on 6/30/2003 (cl, ). (Entered: 06/13/2003)  |
| 06/12/2003 | <a href="#">4</a> | ANSWER to Complaint together with AFFIRMATIVE DEFENSES, CERTIFICATE OF SERVICE. by WYETH PHARMACEUTICAL.(jl, ) Additional attachment(s) added on 6/30/2003 (cl, ). (Entered: 06/13/2003)   |
| 06/12/2003 |                   | Issue Joined (jl, ) (Entered: 06/13/2003)  |
| 07/18/2003 | 5                 | MOTION TO INTERVENE AS PARTY PLAINTIFF FILED BY DANITA KENT BYRD PURSAUNT TO F.R.C.P. 24 (a), MEMORANDUM, CERTIFICATE OF SERVICE. (Complaint of Intervenor Danita Kent Byrd attached)..(jl, ) (Entered: 07/18/2003)  |
| 07/23/2003 | 6                 | JOINT PROPOSED DISCOVERY PLAN UNDER RULE 26 (f) THAT CLOSE OF DISCOVERY IS 10/20/03; DISPOSITIVE MOTIONS DUE TO BE FILED WITH THE COURTY BY 11/20/03; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 7/23/03. 7/23/03 ENTERED AND COPIES MAILED.(jl, ) (Entered: 07/23/2003)  |
| 08/04/2003 | 7                 | WYETH PHARMACEUTICAL RESPONSE TO MOTION TO INTERVENE AS PARTY PLAINTIFF FILED BY DANITA KENT-BYRD, CERTIFICATE OF SERVICE. (jl, ) (Entered: 08/05/2003)  |
| 08/06/2003 | 8                 | ORDER THAT PLAINTIFF'INTERVENOR'S MOTION TO INTERVENE AS PARTY PLAINTIFF IS GRANTED. THE CLERK OF COURT IS DIRECTED TO FILE THE COMPLAINT OF INTERVENOR WITH THE COURT. THE CLERK SHALL AMEND THE CAPTION OF THE CASE TO READ: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, PLAINTIFF AND DANITA KENT BYRD, PLAINTIFF-INTERVENOR V. WYETH PHARMACEUTICALS, INC. DEFENDANT. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 08/06/03.08/07/03 ENTERED AND COPIES MAILED BY CHAMBERS. (ar, ) (Entered: 08/07/2003) |
| 08/06/2003 | 9                 | INTERVENOR COMPLAINT FILED BY DANITA KENT BYRD.(ar, ) (Entered: 08/07/2003)  |
| 08/26/2003 | 10                | ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT WYETH PHARMACEUTICALS, INC. TO COMPLAINT OF INTERVENOR DANITA KENT-BYRD, CERTIFICATE OF SERVICE.(jl, ) (Entered: 08/27/2003)  |
| 08/26/2003 |                   | Issue Joined (jl, ) (Entered: 08/27/2003)  |
| 09/16/2003 | 11                | EQUAL EMPLOYMENT OPPORTUNITY COMMISSION UNCONTESTED MOTION FOR ENTRY OF A REVISED SCHEDULING ORDER, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE..(jl, ) (Entered: 09/16/2003)   |
| 09/17/2003 | 12                | ORDER THAT PLAINTIFF EEOC'S UNCONTESTED MOTION FOR ENTRY OF A REVISED SCHEDULING ORDER IS GRANTED; DISCOVERY IS DUE BY 12/19/03; DISPOSITIVE MOTIONS MUST BE FILED BY 1/19/04; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 9/17/03. 9/17/03 ENTERED AND COPIES MAILED.(jl, ) (Entered: 09/17/2003)   |

|            |                    |  |
|------------|--------------------|--|
| 01/20/2004 | <a href="#">13</a> | WYETH PHARMACEUTICAL MOTION FOR SUMMARY JUDGMENT, MEMORANDUM, CERTIFICATE OF SERVICE.(jl, ) Additional attachment(s) added on 1/27/2004 (jl, ). Additional attachment(s) added on 1/27/2004 (jl, ). (Entered: 01/21/2004)  |
| 02/05/2004 | 14                 | ORDER THAT 2/5/04 THAT PLAINTIFF EEOC AND PLAINTIFF INTERVENOR SHAL HAVE UP TO AND INCLUDING 2/20/04 TO RESPOND TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT IN THE ABOVE CAPTIONED MATTER; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 2/5/04. 2/5/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 02/05/2004)  |
| 02/20/2004 | 15                 | DANITA KENT BYRD, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, CERTIFICATE OF SERVICE, MEMORANDUM, AFFIDAVITS. (jl, ) (Entered: 02/23/2004)   |
| 03/02/2004 | 16                 | WYETH PHARMACEUTICAL REPLY BRIEF IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT, CERTIFICATE OF SERVICE. (jl, ) (Entered: 03/03/2004)   |
| 03/11/2004 | <a href="#">17</a> | MEMORANDUM AND ORDER THAT DEFENDANT WYETH PHARMACEUTICAL'S MOTION FOR SUMMARY JUDGMENT IS GRANTED IN PART AND DENIED IN PART. WITH REGARD TO PLAINTIFF'S INTERVEOR'S RETALIATION CLAIMS, DEFENDANT'S MOTION IS GRANTED AND JUDGMENT IS ENTERED ON BEHALF OF DEFENDANT AND AGAINST PLAINTIFF-INTERVENOR. WITH REGARD TO ALL OTHER CLAIMS, DEFENDANT'S MOTION IS DENIED; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 3/11/04. 3/11/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 03/11/2004) |
| 03/12/2004 | <a href="#">18</a> | DANITA KENT BYRD SURREPLY IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, CERTIFICATE OF SERVICE. (jl, ) (Entered: 03/12/2004)   |
| 06/23/2004 | <a href="#">19</a> | ORDER THAT TRIAL IN THE ABOVE CAPTIONED MATTER IS SCHEDULED FOR 10/5/04 AT 9:30 IN COURTROOM 14A; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 6/23/04. 6/23/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 06/23/2004)  |
| 07/23/2004 | <a href="#">20</a> | ORDER THAT A SETTLEMENT CONFERENCE SET FOR 8/20/2004 10:00 AM BEFORE MAGISTRATE M. FAITH ANGELL. (SIGNED BY JUDGE M. FAITH ANGELL) ON 07/23/04; 07/26/04 ENTERED AND COPIES FAXED BY CHAMBERS ON 07/26/04. (np) (Entered: 07/27/2004)  |
| 09/01/2004 | <a href="#">21</a> | ORDER THAT A SECOND SETTLEMENT CONFERENCE WILL BE HELD ON 8/23/04 AT 2:00 IN COURTROOM 3-H; ETC. . SIGNED BY JUDGE RONALD L. BUCKWALTER ON 8/20/04. 9/1/04 ENTERED AND FAXED BY CHAMBERS.(jl, ) (Entered: 09/01/2004)  |
| 10/05/2004 | <a href="#">22</a> | ORDER DISMISSING ACTION WITH PREJUDICE PURSUANT TO LOCAL RULE 41.1(b). SIGNED BY JUDGE RONALD L. BUCKWALTER ON 10/05/2004. 10052004 ENTERED AND COPIES MAILED AND FAXED.(mh, ) (Entered: 10/05/2004)   |

|            |   |
|------------|---|
| 11/08/2004 | <p>23 SETTLEMENT AGREEMENT ORDER THAT THIS AGREEMENT IS FINAL AND BINDING BETWEEN THE PARTIES SIGNATORY HERETO AS TO ALL ISSUED RAISED IN THE COMMISSION COMPLAINT FILED IN CIVIL ACTION NUMBER 03-2967. THIS AGREEMENT IS ENTERED INTO IN COMPROMISE OF THE CLAIMS ASSERTED IN THIS CIVIL ACTION AND IS NEITHER INTENDED NOR CONSTRUED AS AN ADMISSION OF LIABILITY BY DEFENDANT, WHICH HAS DENIED ANY AND ALL LIABILITY. THE PARTIES STIPULATED THAT, PURSUANT TO 28 U.S.C. &amp;1331, THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA HAS JURISDICTION OVER BOTH THE SUBJECT MATTER AND THE PARTIES IN THIS CASE. THE PARTIES STIPULATE THAT VENUE IS APPROPRIATE IN THE EASTERN DISTRICT OF PENNSYLVANIA. DEFENDANT AGREES TO COMPLY FULLY WITH ALL OF THE PROVISIONS OF TITLE VII, INCLUDING ITS ANTI-RETALIATION PROVISIONS. THE PARTIES AGREE THAT THE COURT SHALL RETAIN JURISDICTION OVER THE AGREEMENT FOR A PERIOD OF TWO YEARS AFTER THE COURT'S APPROVAL OF THIS AGREEMENT IN ORDER TO ENFORCE ITS PROVISIONS, SHOULD IT BECOME NECESSARY; ETC.. SIGNED BY JUDGE RONALD L. BUCKWALTER ON 11/8/04. 11/8/04 ENTERED AND COPIES MAILED.(jl, ) (Entered: 11/08/2004)</p> |
|------------|---|

### PACER Service Center

#### Transaction Receipt

05/30/2007 10:45:24

|                        |               |                         |                  |
|------------------------|---------------|-------------------------|------------------|
| <b>PACER Login:</b>    | hs0328        | <b>Client Code:</b>     | eeoc             |
| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 2:03-cv-02967-RB |
| <b>Billable Pages:</b> | 3             | <b>Cost:</b>            | 0.24             |