

CLOSED

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:96-cv-00724-RJC**

MONGELL v. CALIFORNIA UNIVERSIT, et al  
Assigned to: Judge Robert J. Cindrich  
Demand: \$0  
Cause: 42:2000 Civil Rights: Other

Date Filed: 04/17/1996  
Date Terminated: 12/13/1999  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights:  
Jobs  
Jurisdiction: U.S. Government  
Plaintiff

**Plaintiff**

**UNITED STATES OF  
AMERICA**  
*TERMINATED: 10/22/1997*

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**Plaintiff**

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V.

**Defendant**

**CALIFORNIA UNIVERSITY**

represented by **James B. Brown**

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**Party**

**ASSOCIATION OF  
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COLLEGE AND UNIVERSITY  
FACILITIES**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/17/1996	1	COMPLAINT; jury demand (ces) (Entered: 04/17/1996)

04/22/1996	2	WAIVER OF SERVICE Returned Executed as to CALIFORNIA UNIVERSIT on 4/17/96 Answer due on 6/17/96 for CALIFORNIA UNIVERSIT (ces) (Entered: 04/23/1996)
05/08/1996	3	NOTICE of Attorney Appearance for CALIFORNIA UNIVERSIT by James B. Brown, Nancy L. Heilman (ces) (Entered: 05/09/1996)
06/19/1996	4	Stipulation by USA, CALIFORNIA UNIVERSIT Extending Time for deft to file response to complaint and responses to discovery requests with proposed order. (ces) (Entered: 06/20/1996)
06/24/1996		ORDER upon motion granting [4-1] stipulation Extending Time, reset Answer deadline to 6/27/96 for CALIFORNIA UNIVERSIT , reset Response to Request for Production of Documents deadline to 6/27/96 ( signed by Judge Robert J. Cindrlich on 6/24/96 ) CM all parties of record. (ces) (Entered: 06/25/1996)
06/26/1996	5	MOTION by CALIFORNIA UNIVERSIT to Extend Time to File Response to Complaint with Proposed Order. (ces) (Entered: 06/27/1996)
07/01/1996		ORDER upon motion granting [5-1] motion to Extend Time to File Response to Complaint, reset Answer deadline to 7/25/96 for CALIFORNIA UNIVERSIT or until 10 days after settlement conf has occurred ( signed by Judge Robert J. Cindrlich on 6/1/96 ) CM all parties of record. (ces) (Entered: 07/01/1996)
07/16/1996	6	Settlement Conference held 7/16/96 before Judge Robert J. Cindrlich [ Reporter: none ] (USA close to settlement w/def. Appearance of additional individual claimant Susan Mongell requires more time to complete negotiations to determine whether her concerns can be addressed in US settlement. All pretrial proceedings therefore shall be stayed 30 days to allow negotiations to continue. Order to be entered.) (ces) (Entered: 07/17/1996)
07/24/1996	7	ORDER, reset Answer deadline to 8/16/96 for CALIFORNIA UNIVERSIT ( signed by Judge Robert J. Cindrlich on 7/23/96 ) CM all parties of record. (ces) (Entered: 07/25/1996)
08/13/1996	8	MOTION by CALIFORNIA UNIVERSIT to Extend Time to File Response to Complaint with Proposed Order. (ces) (Entered: 08/13/1996)
08/15/1996		ORDER upon motion granting [8-1] motion to Extend Time to

		File Response to Complaint, set Answer deadline to 8/30/96 for CALIFORNIA UNIVERSIT ( signed by Judge Robert J. Cindrich on 8/15/96 ) CM all parties of record. (ces) (Entered: 08/16/1996)
08/30/1996	9	ANSWER to Complaint by CALIFORNIA UNIVERSIT (ces) (Entered: 09/03/1996)
09/18/1996	10	Settlement Conference held 9/17/96 before Judge Robert J. Cindrich [ Reporter: none ] (Parties agreed to procedure for settling and dismissing case; will exchange drafts and advise court of progress) (ces) (Entered: 09/19/1996)
10/09/1996	11	MOTION by SUSAN MONGELL to Intervene with Proposed Order. (ces) (Entered: 10/09/1996)
10/10/1996	12	NOTICE from Ct. of response deadline (ces) (Entered: 10/11/1996)
10/10/1996		Document no. 12: Response to Motion set to 10/18/96 for [11-1] motion to Intervene (ces) (Entered: 10/11/1996)
10/24/1996	13	Settlement Conference held 10/23/96 before Judge Robert J. Cindrich [ Reporter: none ] (Judge agrees to dismiss claims by U.S. Susan Mongel to intervene as pltf, motion to be filed. Dismissal order to be entered. settlement agreement to be filed) (ces) (Entered: 10/25/1996)
10/24/1996	14	SETTLEMENT AGREEMENT (ces) (Entered: 10/28/1996)
10/24/1996	15	ORDER approving Settlement Agreement executed on behalf of parties. Claims of USA agst. California University of Pa. of State System of Higher Education are hereby dismissed w/out prejudice; further that terms of Settlement Agreement are incorporated herein and made a part hereof and Ct. shall retain jurisdiction over Settlement Agreement for 3 yrs. ( signed by Judge Robert J. Cindrich on 10/23/96 ) CM all parties of record. Notices mailed. (ces) (Entered: 10/28/1996)
10/28/1996		Case closed (ces) (Entered: 10/28/1996)
11/19/1996	16	MOTION by SUSAN MONGELL for Paula M. Lappe, Esq. to Withdraw as Attorney . (ces) Modified on 11/25/1996 (Entered: 11/20/1996)
11/25/1996	17	ORDER granting [16-1] motion for Paula M. Lappe, Esq. to Withdraw as Attorney (Terminated attorney Paula M. Lappe for SUSAN MONGELL ( signed by Judge Robert J. Cindrich on 11/25/96 ) CM all parties of record. (ces) (Entered: 11/25/1996)

01/02/1997	18	Status Conference set for 4:30 2/4/97 (ces) (Entered: 01/02/1997)
02/06/1997	19	Status Conference held 2/4/97 before Judge Robert J. Cindrich [ Reporter: none ] (Judge will grant motion for Susan Mongell to intervene and direct that she file complaint. Order to be entered) (ces) (Entered: 02/06/1997)
02/06/1997	20	ORDER granting [11-1] motion to Intervene and directing intervening pltf. Susan Mongell to file complaint by 2/21/97 and directing clerk to re-open the case ( signed by Judge Robert J. Cindrich on 2/4/97 ) CM all parties of record. (ces) (Entered: 02/07/1997)
02/06/1997		Case reopened (ces) (Entered: 02/07/1997)
02/21/1997	21	COMPLAINT filed by pltf-intervenor Susan Mongell; jury demand(ces) Modified on 02/24/1997 (Entered: 02/24/1997)
03/17/1997	22	MOTION by CALIFORNIA UNIVERSIT to Dismiss , and to Strike pursuant to Rules 12(b)(6) and 12(f) with Proposed Order. (crw) (Entered: 03/17/1997)
03/17/1997	23	BRIEF by CALIFORNIA UNIVERSIT in support of [22-1] motion to Dismiss by CALIFORNIA UNIVERSIT, [22-2] motion to Strike pursuant to Rules 12(b)(6) and 12(f) by CALIFORNIA UNIVERSIT (crw) (Entered: 03/17/1997)
03/18/1997	24	Minute entry:, Response to Motion set to 4/7/97 for [22-1] motion to Dismiss, set to 4/7/97 for [22-2] motion to Strike pursuant to Rules 12(b)(6) and 12(f) no reply brief shall be filed without leave of Court and memorandum of law shall not exceed 25 pages (crw) (Entered: 03/18/1997)
04/07/1997	25	BRIEF by SUSAN MONGELL in opposition to [22-1] motion to Dismiss by CALIFORNIA UNIVERSIT, [22-2] motion to Strike pursuant to Rules 12(b)(6) and 12(f) by CALIFORNIA UNIVERSIT (ces) (Entered: 04/08/1997)
04/07/1997	26	NOTICE of Attorney Appearance for SUSAN MONGELL by Gregory T. Kunkel (ces) (Entered: 04/08/1997)
04/30/1997	27	JOINT MOTION by USA, CALIFORNIA UNIVERSIT to Enjoin and Restrain Interference With the Ct.'s Order . (ces) (Entered: 05/01/1997)
04/30/1997	28	BRIEF by USA, CALIFORNIA UNIVERSIT in support of [27-1] joint motion to Enjoin and Restrain Interference With the Ct.'s Order by CALIFORNIA UNIVERSIT, USA (ces) (Entered: 05/01/1997)

05/07/1997	29	ORDER, Brief in Support set to 5/26/97 for [27-1] joint motion to Enjoin and Restrain Interference With the Ct.'s Order . Moving parties shall serve copy of this order on parties they seek to enjoin ( signed by Judge Robert J. Cindrich on 5/6/97 ) CM all parties of record. (ces) (Entered: 05/08/1997)
05/13/1997	30	BRIEF by ASSOC. OF PA STATE in opposition to [27-1] joint motion to Enjoin and Restrain Interference With the Ct.'s Order by CALIFORNIA UNIVERSIT, USA (emc) (Entered: 05/13/1997)
05/22/1997	31	RETURN OF SERVICE executed as to CALIFORNIA UNIVERSIT 4/7/97 Answer due on 4/28/97 for CALIFORNIA UNIVERSIT (ces) (Entered: 05/23/1997)
06/30/1997	32	MEMORANDUM OPINION AND ORDER denying [27-1] joint motion to Enjoin and Restrain Interference With the Ct.'s Order ( signed by Judge Robert J. Cindrich on 6/27/97 ) CM all parties of record. (ces) (Entered: 06/30/1997)
07/16/1997	33	MOTION by CALIFORNIA UNIVERSIT to Dismiss Pltf-Intervenor's complaint with Proposed Order. (ces) (Entered: 07/16/1997)
07/18/1997	34	ORDER, that pltf-Intervenor Susan Mongell file written response to Deft's Rule 37 Motion to Dismiss setting forth w/particularity reasons for her non-appearance at various depositions set by deft and showing cause why she should not be ordered to pay deft all atty's fees and costs incurred in prep. for and attendance of aforementioned deposition set for 7/14/97, together w/all fees and costs incurred in prep. and presentation of w/in Motion; Motion Hearing set for 4:00 8/4/97 for [33-1] motion to Dismiss ( signed by Judge Robert J. Cindrich on 7/18/97 ) CM all parties of record. (ces) (Entered: 07/18/1997)
08/01/1997	35	BRIEF by SUSAN MONGELL in opposition to [33-1] motion to Dismiss by CALIFORNIA UNIVERSIT (ces) (Entered: 08/04/1997)
08/05/1997	36	Hearing on Motion re: [33-1] motion to Dismiss by CALIFORNIA UNIVERSIT set for 3:00 8/22/97 (ces) (Entered: 08/05/1997)
08/08/1997	37	MEMORANDUM OPINION AND ORDER granting in part, denying in part [33-1] motion to Dismiss as follows: 1. The motion to dismiss is denied. 2. The Motion for atty. fees and costs is granted, to the extent that pltf shall reimburse deft for lawyer time actually spent during 7/14/96 deposition date

		awaiting notice from pltf, def't's legal fees incurred in filing the Rule 37 Motion and the appearance charge of ct. reporter at scheduled deposition. In all other respects, motion for counsel fees and costs is denied. 3. Deft shall submit itemized statement detailing fees and costs identified in item 2 of this order and pltf shall have 20 days after submission of that report to file objections as to amt. claimed for fees or costs ( signed by Judge Robert J. Cindrich on 8/8/87 ) CM all parties of record. (ces) (Entered: 08/08/1997)
08/27/1997	38	Itemized Statement of Fees and Costs filed by def't (ces) (Entered: 08/28/1997)
09/16/1997	39	Telephone Status Conference held before Judge Robert J. Cindrich [ Reporter: none ] (Judge and counsel discussed procedure for pltf-intervenor's deposition. No order to be entered) (ces) (Entered: 09/16/1997)
10/22/1997	40	MEMORANDUM ORDER denying [22-2] Motion to Strike pursuant to Rules 12(b)(6) and 12(f) as to plaintiff's reference in her Complaint to the outcome of the relevant EEOC investigation and granting the Motion to strike the United States as a party; denying as moot [22-1] Motion to Dismiss ( signed by Judge Robert J. Cindrich on 10/22/97 ) CM all parties of record. (emc) (Entered: 10/23/1997)
09/15/1999	41	ANSWER to Complaint by CALIFORNIA UNIVERSIT (ces) (Entered: 09/16/1999)
11/17/1999	42	Pre-Trial Conference set for 10:30 12/9/99 (ces) (Entered: 11/17/1999)
12/09/1999	43	STIPULATION of dismissal with prejudice, with each party to bear own costs, fees and expenses with proposed order. (ces) (Entered: 12/10/1999)
12/13/1999		CONSENT ORDER upon motion granting [43-1] dismissal stipulation with prejudice, with each party to bear own costs, fees and expenses ( signed by Judge Robert J. Cindrich on 12/13/99 ) CM all parties of record. (ces) Modified on 12/14/1999 (Entered: 12/14/1999)
12/13/1999		Case closed (ces) (Entered: 12/17/1999)