

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:01-cv-01042-CG**

KETCHUM, et al v. SUNOCO, INC.
Assigned to: HONORABLE CLIFFORD SCOTT GREEN
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 03/02/2001
Date Terminated: 12/03/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

DEWAYNE KETCHUM

represented by **MARTIN J. D'URSO**
KOHNSWIFT & GRAF, P.C.
ONE SOUTH BROAD STREET
SUITE 2100
PHILADELPHIA, PA 19107
215-238-1700
Fax: 215-238-1968
Email: mdurso@kohnsswift.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
LAW OFFICES OF ROBERT T.
VANCE, JR.
100 S. BROAD ST.
SUITE 1530
PHILADELPHIA, PA 19110
215-557-9550
Fax: 215-557-9552
Email: rtvance@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

EVERETT L. RICHARDSON, JR.

represented by **MARTIN J. D'URSO**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

ROBERT J. HARRIS

represented by **MARTIN J. D'URSO**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

THOMAS LONG

represented by **MARTIN J. D'URSO**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

BARBARA A. NEARON

represented by **MARTIN J. D'URSO**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

LEVETTE PARISH

represented by **MARTIN J. D'URSO**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

ROBERT T. VANCE, JR.
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

THEODORE I. BUSCH, JR.
INDIVIDUALLY, AND ON BEHALF OF
ALL OTHER AFRICAN-AMERICANS
SIMILARLY SITUATED
TERMINATED: 12/03/2004

represented by **THEODORE I. BUSCH, JR.**
PRO SE

MARTIN J. D'URSO
(See above for address)
TERMINATED: 12/10/2004
LEAD ATTORNEY

ROBERT T. VANCE, JR.
(See above for address)
TERMINATED: 12/10/2004
LEAD ATTORNEY

V.

Defendant

SUNOCO, INC.

represented by **CHARISSE R. LILLIE**
BALLARD SPAHR ANDREWS
& INGERSOLL LLP
1735 MARKET ST., 51ST FL
PHILADELPHIA, PA 19103-7599
Fax: 215-864-9758
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

CHRISTIN E. CONNOLLY
BALLARD SPAHR ANDREWS
& INGERSOLL LLP
1735 MARKET ST., 51ST FLOOR
PHILADELPHIA, PA 19103-7599
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

MAUREEN M. RAYBORN
 BALLARD, SPAHR, ANDREWS AND
 INGERSOLL
 1735 MARKET STREET
 51ST FL.
 PHILA, PA 19103-7599
 TEL 215-864-8105
 Fax: FAX 215-864-8999
 Email: rayborn@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SUSAN R. BECKER
 U.S. ATTORNEY'S OFFICE
 ASSISTANT UNITED STATES
 ATTORNEY
 615 CHESTNUT ST.
 SUITE 1250
 PHILADELPHIA, PA 19106
 215-861-8310
 Email: susan.becker@usdoj.gov
TERMINATED: 08/05/2003
LEAD ATTORNEY

WILLIAM K. KENNEDY
 BALLARD SPAHR ANDREWS
 &INGERSOLL LLP
 1735 MARKET ST., 51ST FL
 PHILADELPHIA, PA 19103
 215-665-8500
 Email: kennedyw@ballardspahr.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/02/2001	1	Complaint. filing fee \$ 150 receipt # 755333 (fe) (Entered: 03/05/2001)
03/02/2001		Demand for jury trial by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF THOMAS LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PARISH, PLAINTIFF THEODORE I. BUSCH JR.. (fe) (Entered: 03/05/2001)
03/02/2001		Summons(es) issued, 1 original Forwarded to: Counsel 03/05/01 (fe) (Entered: 03/05/2001)
03/02/2001		Special Case Management Track. (fe) (Entered: 03/05/2001)
03/28/2001	2	Affidavit of: Dudley G. Brown re: served summons and complaint upon Brian Matthew Rhodes, Esq. on behalf of DEFENDANT SUNOCO, INC. . Served by: Personal Service on 3/19/01 . (mbh) (Entered: 03/29/2001)
04/10/2001	3	Appearance of CHARISSE R. LILLIE, MAUREEN M. RAYBORN, SUSAN R. BECKER for DEFENDANT SUNOCO, INC., Certificate of Service. (mbh) (Entered: 04/10/2001)
04/12/2001	4	ORDER THAT THE PARTIES AGREED TO SUBMIT A STIPULATION TO THE COURT MEMORIALIZING AN AGREEMENT THAT THE DEFT SHALL HAVE AN ADDITIONAL 60 DAYS TO ANSWER PLFFS' COMPLAINT. THIS STIPULATION WILL ALSO REFLECT AN AGREEMENT THAT THE TIME IN WHICH TO CONDUCT CLASS DISCOVERY SHALL BE EXTENDED UNTIL 10/1/01. (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/13/01 ENTERED AND COPIES MAILED AND FAXED. (gn) (Entered: 04/13/2001)

04/24/2001	5	STIPULATION AND ORDER: DEFT SUNOCO SHALL FILE AN ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT ON OR BEFORE 5/25/01 . PLFFS SHALL FILE THEIR MOTION FOR CLASS ACTION CERTIFICATION ON OR BEFORE 10/30/01 , ETC.. (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/24/01 ENTERED AND COPIES MAILED AND FAXED. (fb) (Entered: 04/24/2001)
05/25/2001	6	Answer to Complaint by DEFENDANT SUNOCO, INC. with Affirmative Defenses, Certificate of Service. (mbh) (Entered: 05/29/2001)
05/25/2001		ISSUE JOINED. (mbh) (Entered: 05/30/2001)
08/28/2001	7	CONFIDENTIALITY AGREEMENT AND ORDER RE: DISCOVERY (SIGNED BY JUDGE CLIFFORD S. GREEN) 8/29/01 ENTERED AND COPIES MAILED AND FAXED. (mbh) (Entered: 08/29/2001)
08/28/2001		Certain documents governed by Protective Order. (mbh) (Entered: 08/29/2001)
10/01/2001	8	AMENDED STIPULATION AND ORDER THAT CLASS RELATED DISCOVERY SHALL BE COMPLETED BY 12/10/01; PLAINTIFFS SHALL FILE THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 1/10/02 DEFENDANT SHALL FILE A RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION ON OR BEFORE 1/31/02; PLAINTIFFS SHALL FILE A REPLY ON OR BEFORE 2/15/02; DEFENDANT SHALL FILE A ON OR BEFORE 3/1/02 (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/2/01 ENTERED AND COPIES MAILED AND FAXED. (mbh) Modified on 10/02/2001 (Entered: 10/02/2001)
01/18/2002	9	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 4/10/02. DEFENDANT SHALL FILE A RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION ON OR BEFORE 5/1/02. PLAINTIFFS SHALL FILE A REPLY, IF ANY, ON OR BEFORE 5/15/02. DEFENDANT SHALL FILE A SUR-REPLY, IF ANY, ON OR BEFORE 5/29/02 (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/18/02 ENTERED AND COPIES MAILED AND FAXED. (mbh) Modified on 01/18/2002 (Entered: 01/18/2002)
03/18/2002	10	Report of Pretrial Conference held on 3/15/02. (mbh) (Entered: 03/18/2002)
04/08/2002	11	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 6/7/02; ETC. (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/8/02 ENTERED AND COPIES MAILED AND FAXED. (jl) (Entered: 04/08/2002)
06/11/2002	12	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 9/10/02 ; DEFENDANT SHALL FILE A RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION ON OR BEFORE 10/10/02; PLAINTIFFS SHALL FILE A REPLY, IF ANY, ON OR BEFORE 10/24/02, AND DEFENDANT SHALL FILE A SUR-REPLY, IF ANY, ON OR BEFORE 11/7/02. (SIGNED BY JUDGE CLIFFORD S. GREEN) 6/11/02 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 06/11/2002)
09/12/2002	13	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 11/15/02 , DEFENDANT SHALL FILE A RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION ON OR BEFORE 12/16/02 , AND PLAINTIFFS SHALL FILE A REPLY, IF ANY, ON OR BEFORE 12/31/02, AND DEFENDANT SHALL FILE A SUR-REPLY, IF ANY, ON OR BEFORE 1/14/03. (SIGNED BY JUDGE CLIFFORD S. GREEN) 9/12/02 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 09/12/2002)
10/16/2002	14	ORDER THAT THIS MATTER IS REFERRED TO U.S. MAGISTRATE JUDGE DIANE M. WELSH FOR A SETTLEMENT CONFERENCE TO BE SCHEDULED BY THE MAGISTRATE JUDGE (SIGNED BY JUDGE CLIFFORD S. GREEN) 10/16/02 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 10/16/2002)

01/03/2003	15	STIPULATION AND ORDER THAT PLAINTIFFS SHALL FILE AND SERVE THEIR MOTION FOR CLASS CERTIFICATION AND SUPPORTING BRIEF ON OR BEFORE 2/3/03 , DEFENDANT SHALL FILE AND SERVE ITS ANSWER TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AND OPPOSING BRIEF ON OR BEFORE 2/24/03 ; PLAINTIFF SHALL FILE AND SERVE THEIR REPLY BRIEF IN SUPPORT OF THEIR MOTION FOR CLASS CERTIFICATION ON OR BEFORE 3/10/03; AND DEFENDANT SHALL FILE AND SERVEITS SUR REPLY BRIEF IN OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION ON OR BEFORE 3/24/03 (SIGNED BY JUDGE CLIFFORD S. GREEN) 1/6/03 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 01/06/2003)
02/03/2003	16	MOTION by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF THOMAS LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PARISH, PLAINTIFF THEODORE I. BUSCH JR. FOR PARTIAL CLASS CERTIFICATION , MEMORANDUM, APPENDIX IN SUPPORT VOLUME I, APPENDIX IN SUPPORT VOLUME II, APPENDIX IN SUPPORT VOLUME III, CERTIFICATE OF SERVICE. (cdd) (Entered: 02/04/2003)
02/24/2003	17	Memorandum of Law by DEFENDANT SUNOCO, INC. in Response to PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION, Exhibits in Support 1–10, Exhibits in Support 11–16, Exhibits in Support 17–41, Certificate of Service. (cdd) Modified on 02/25/2003 (Entered: 02/25/2003)
03/10/2003	18	Reply Memorandum by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF THOMAS LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PARISH, PLAINTIFF THEODORE I. BUSCH JR. in Support of Plaintiffs' MOTION FOR PARTIAL CLASS CERTIFICATION, Certificate of Service. (cdd) (Entered: 03/11/2003)
03/10/2003	19	Supplemental Appendix by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PLAINTIFF THEODORE I. BUSCH JR., DEFENDANT SUNOCO, INC. in Support of PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION, Certificate of Service. (cdd) (Entered: 03/11/2003)
03/24/2003	20	Sur–Reply Memorandum by DEFENDANT SUNOCO, INC. in support of Its Response to PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION, Certificate of Service. (cdd) (Entered: 03/25/2003)
03/25/2003	21	ORDER THAT A HEARING CONCERNING PLAINTIFF'S MOTION FOR PARTIAL CLASS CERTIFICATION WILL BE HELD ON 4/10/03 AT 10:00 A.M. IN COURTROOM 15–B. (SIGNED BY JUDGE CLIFFORD S. GREEN) 3/25/03 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 03/25/2003)
04/10/2003	22	Minute entry: N. O'Neill, Court Reporter. Hearing held 4/10/03 Re: Motion for partial class certification. Plff's witness, Dr. Janice F. Madden called and sworn. Def't's witness, Dr. Bernard siskin called and sworn. Plff's and Def't's closing statements to the Court. Plff's rebuttal. CAV (cdd) (Entered: 04/11/2003)
04/23/2003	23	MOTION by DEFENDANT SUNOCO, INC. FOR LEAVE TO FILE SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MEMORANDUM IN RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION , CERTIFICATE OF SERVICE. (signed Supplemental Memorandum attached) (cdd) Modified on 04/24/2003 (Entered: 04/24/2003)
04/25/2003	24	ORDER THAT DEFENDANT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MEMORANDUM IN RESPONSE TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION IS GRANTED, AND THE BRIEF ATTACHED TO THIS APPLICATION IS DEEMED FILED AS OF THE

		DATE OF THIS ORDER. (SIGNED BY JUDGE CLIFFORD S. GREEN) 4/28/03 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 04/28/2003)
04/25/2003	25	Supplemental Memorandum by DEFENDANT SUNOCO, INC. in support of Defendant's Memorandum in Response to Plaintiff's Motion for Class Certification. (cdd) (Entered: 04/28/2003)
04/30/2003	26	APPLICATION by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PARISH, PLAINTIFF THEODORE I. BUSCH JR. FOR LEAVE TO FILE A RESPONSE TO DEFENDANT'S SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MEMORANDUM IN RESPONSE TO PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION , CERTIFICATE OF SERVICE. (signed Response attached) (cdd) (Entered: 04/30/2003)
05/02/2003	27	ORDER THAT PLAINTIFF'S MOTION FOR LEAVE TO FILE A RESPONSE TO DEFENDANT'S SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MEMORANDUM IN RESPONSE TO PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION IS GRANTED AND THE BRIEF ATTACHED TO THE APPLICATION IS DEEMED FILED AS OF THE DATE OF THIS ORDER. (SIGNED BY JUDGE CLIFFORD S. GREEN) 5/2/03 ENTERED AND COPIES MAILED AND FAXED. (cdd) (Entered: 05/02/2003)
05/02/2003	28	Supplemental Memorandum of Law by PLAINTIFF DEWAYNE KETCHUM, PLAINTIFF EVERETT L. RICHARDSON JR., PLAINTIFF ROBERT J. HARRIS, PLAINTIFF LONG, PLAINTIFF BARBARA A. NEARON, PLAINTIFF LEVETTE PLAINTIFF THEODORE I. BUSCH JR. in Response to Defendant's Supplemental Memorandum of Law Regarding Class Certification Expert Issues. (cdd) (Entered: 05/02/2003)
06/02/2003	29	TRANSCRIPT of Oral Argument held on 4/10/03 before Judge Hon. Clifford Scott Green. Court Reporter: Nancy O'Neill, OCR. (cdd,) (Entered: 06/02/2003)
07/11/2003	<u>30</u>	MEMORANDUM AND ORDER THAT PLAINTIFFS' MOTION FOR PARTIAL CLASS CERTIFICATION IS GRANTED AND THAT A CLASS CONSISTING OF ALL AFRICAN-AMERICAN EXEMPT EMPLOYEES OF SUNOCO, INC. EMPLOYED IN THE PHILADELPHIA AREA (AS PREVIOUSLY DEFINED BY THE PARTIES) AT ANYTIME DURING THE PERIOD OF JANUARY 1, 1996 TO THE PRESENT IS HEREBY CERTIFIED PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23(b)(2). IT IS FURTHER ORDERED THAT PLAINTIFFS DEWAYNE KETCHUM, EVERETT L. RICHARDSON, THOMAS LONG, ROBERT J. HARRIS, BARBARA A. NEARON AND THEODORE I. BUSCH ARE HEREBY DESIGNATED AS REPRESENTATIVES OF THE CLASS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 7/11/03.7/14/03 ENTERED AND COPIES MAILED AND FAXED. (cdd,) Modified on 7/14/2003 (cdd,). Modified on 7/14/2003 (cdd,). (Entered: 07/14/2003)
07/28/2003	<u>31</u>	MOTION FILED BY SUNOCO, INC. FOR RECONSIDERATION OF THE COURT'S ORDER GRANTING PLAINTIFF'S MOTION FOR PARTIAL CLASS CERTIFICATION, MEMORANDUM, CERTIFICATE OF SERVICE.(cdd,) (Entered: 07/29/2003)
08/05/2003	<u>32</u>	NOTICE of Appearance by CHRISTIN E. CONNOLLY on behalf of SUNOCO, INC. and Withdraw of Appearance of Susan R. Becker on behalf of Defendant Sunoco, Certificate of Service. (cdd,) (Entered: 08/05/2003)
08/11/2003	33	Plaintiffs' Memorandum of Law in Opposition to Motion for Reconsideration of the Court's Order Granting Partial Class Certification filed by THEODORE I. BUSCH JR., ROBERT J. HARRIS, DEWAYNE KETCHUM, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, EVERETT L. RICHARDSON JR., Certificate of Service. (ar,) (Entered: 08/12/2003)

09/03/2003	34	ORDER THAT THE DEFENDANT'S MOTION FOR RECONSIDERATION OF THE COURT'S ORDER OF 7/11/03 IS DENIED.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 9/3/03.9/3/03 ENTERED AND COPIES MAILED AND FAXED. (cdd,) (Entered: 09/03/2003)
09/17/2003	<u>35</u>	ORDER THAT A CONFERENCE WILL BE HELD IN THE ABOVE CAPTIONED CASE ON 10/8/03 AT 3:00 P.M. IN CHAMBERS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 9/17/03. 9/18/03 ENTERED AND COPIES MAILED AND FAXED.(cdd,) (Entered: 09/18/2003)
09/29/2003	36	Certified Copy of Order from U.S. Court of Appeals for the Third Circuit dated 9/26/03 that the Motions for Leave to File Exhibits Attached to Sunoco's First and Second Petitions for Permission to Appeal Order Granting Class Certification are Granted. The First and Second Petitions for Permission to Appeal Order Granting Class Certification Under Rule 23(B)(2) are Denied. (cdd,) (Entered: 09/29/2003)
11/21/2003	37	ORDER THAT A SETTLEMENT CONFERENCE WILL BE HELD IN THE ABOVE-CAPTIONED CASE ON 12/9/03 AT 9:00 A.M. IN CHAMBERS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 11/20/03. 11/21/03 ENTERED AND COPIES MAILED AND FAXED.(cdd,) (Entered: 11/21/2003)
12/19/2003	38	ORDER THAT DISCOVERY DUE BY 2/6/2004. DISPOSITIVE MOTIONS DUE BY 4/16/2004. PRETRIAL MEMORANDA DUE BY 4/30/2004. TRIAL DATE SET FOR 5/3/2004. (SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 12/18/03.) 12/19/03 ENTERED AND COPIES MAILED AND FAXED.(gn,) (Entered: 12/19/2003)
01/26/2004	39	FURTHER STIPULATION AND ORDER REGARDING DISCOVERY: DISCOVERY SHALL BE COMPLETED BY 4/16/2004; ANY DISPOSITIVE MOTIONS OR MOTIONS IN LIMINE SHALL BE FILED BY 7/2/2004; FINAL PRETRIAL MEMORANDA SHALL BE FILED BY 7/9/2004; TRIAL SHALL COMMENCE BY 7/19/2004. SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 1/26/2004. 1/27/2004 ENTERED AND COPIES MAILED AND FAXED.(mbh,) (Entered: 01/27/2004)
03/02/2004	<u>40</u>	ORDER THAT THE SETTLEMENT CONFERENCE SCHEDULED FOR 3/11/04 IS HEREBY RESCHEDULED TO 3/15/04 AT 10:00 A.M. IN CHAMBERS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 3/1/04. 3/2/04 ENTERED AND COPIES MAILED AND FAXED.(cdd,) (Entered: 03/02/2004)
03/15/2004	41	STIPULATION AND ORDER THAT THE PARTIES WILL HAVE UNTIL 4/23/04 TO REACH A SETTLEMENT. IF THEY ARE UNABLE TO DO SO, THE PARTIES SHALL COMPLETE DISCOVERY BY THE END OF MAY 2004. ANY MOTIONS IN LIMINE OR POTENTIALLY DISPOSITIVE MOTIONS SHALL BE FILED ON OR BEFORE 6/28/04. SUBJECT TO THE COURT'S AVAILABILITY, TRIAL SHALL COMMENCE ON OR ABOUT 7/19/04. SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 3/15/04. 3/15/04 ENTERED AND COPIES MAILED AND FAXED.(cdd,) Modified on 3/15/2004 (cdd,). Modified on 3/15/2004 (cdd,). (Entered: 03/15/2004)
05/07/2004	<u>42</u>	MOTION for Protective Order filed by SUNOCO, INC..Brief and Certificate of Service. (Attachments: # <u>1</u> Exhibit A through J)(KENNEDY, WILLIAM) (Entered: 05/07/2004)
05/21/2004	43	Answer filed by THEODORE I. BUSCH JR., ROBERT J. HARRIS, DEWAYNE KETCHUM, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, EVERETT L. RICHARDSON JR. to the Motion of Defendant Sunoco, Inc. for Protective Order, Memorandum, Certificate of Service. (cdd,) (Entered: 05/24/2004)
05/28/2004	<u>44</u>	MOTION to Compel <i>Answers to Interrogatories and Requests for Production of Documents</i> filed by SUNOCO, INC., CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE. (CONNOLLY, CHRISTIN) Modified on 6/1/2004 (np). (Entered: 05/28/2004)

06/10/2004	<u>45</u>	APPLICATION for Leave to File a Reply Brief in Support of its Motion for a Protective Order and Reply Brief by SUNOCO, INC., Certificate of Service. (Attachments: # <u>1</u> Exhibit A and B) (KENNEDY, WILLIAM) Modified on 6/11/2004 (np). (Entered: 06/10/2004)
06/14/2004	<u>46</u>	ORDER THAT A SETTLEMENT CONFERENCE WILL BE HELD IN THE ABOVE-CAPTIONED CASE ON 6/24/04 AT 3:30 P.M. IN CHAMBERS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 6/14/04. 6/14/04 ENTERED AND COPIES MAILED AND FAXED.(cdd,) (Entered: 06/14/2004)
06/16/2004	47	MOTION TO COMPEL DEFENDANT TO PRODUCE ROLF NAKU, JOEL MANESS, AND MARGARET SOFIO FOR DEPOSITION AS CORPORATE DESIGNEES UNDER RULE 30(b)(6) AND TO DESIGNATE A WITNESS TO TESTIFY CONCERNING CERTAIN SUBJECT MATTER AREAS FILED BY THEODORE I. BUSCH JR., ROBERT J. HARRIS, DEWAYNE KETCHUM, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, EVERETT L. RICHARDSON JR., MEMORANDUM, CERTIFICATE OF COUNSEL, CERTIFICATE OF SERVICE.(mar,) (Entered: 06/16/2004)
06/23/2004	48	PLFFS' MOTION TO COMPEL PRODUCITONOF DOCUMENTS, CERTIFICATION, MEMO, CERTIFICATE OF SERVICE.(sc,) (Entered: 06/23/2004)
07/12/2004	<u>49</u>	ORDER THAT THE DEFENDANT'S MOTION FOR PROTECTIVE ORDER, DEFENDANT'S MOTION TO COMPEL, AND PLAINTIFF'S MOTION TO COMPEL ARE DISMISSED WITHOUT PREJUDICE, ETC.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 6/29/04.7/12/04 ENTERED AND COPIES MAILED AND FAXED. (cdd,) (Entered: 07/12/2004)
08/13/2004	50	Report Of Conference held 8/12/04 RE: settlement was discussed. (cdd,) (Entered: 08/16/2004)
10/12/2004	<u>51</u>	UNOPPOSED MOTION FOR: (1) PRELIMINARY APPROVAL OF A PROPOSED SETTLEMENT, AND (2) AUTHORIZATION TO DISSEMINATE NOTICE BY THEODORE I. BUSCH JR., ROBERT J. HARRIS, DEWAYNE KETCHUM, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, EVERETT L. RICHARDSON JR.MEMORANDUM, CERTIFICATE OF SERVICE.(stb,) Additional attachment(s) added on 11/9/2004 (cdd,). (Entered: 10/13/2004)
10/21/2004	52	ORDER THAT THE PROPOSED SETTLEMENT OF THIS ACTION SET FORTH IN THE SETTLEMENT AGREEMENT TENDERED BY THE PARTIES APPEARS TO BE REASONABLE AND IS ENTITLED TO THIS COURT'S PRELIMINARY APPROVAL; THE PARTIES MAY DISSEMINATE, BY FIRST CLASS MAIL, THE PROPOSED NOTICE ATTACHED HERETO; AND A FINAL FAIRNESS HEARING IN THIS MATTER IS SET TO TAKE PLACE ON 11/30/04 AT 10:00 A.M. IN COURTROOM 15B.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 10/20/04. 10/22/04 ENTERED AND COPIES FAXED AND MAILED.(cdd,) Modified on 10/22/2004 (cdd,). Modified on 10/22/2004 (cdd,). (Entered: 10/22/2004)
11/24/2004	<u>53</u>	PLAINTIFF'S MOTION FOR RE-DESIGNATION OF NAMED PLAINTIFF THEODORE I. BUSCH JR. AS ABSENT CLASS MEMBER AND WITHDRAWAL OF COUNSEL AS REPRESENTATIVE OF MR. BUSCH IN HIS INDIVIDUAL CAPACITY.MEMORANDUM OF LAW, CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> MEMORANDUM# <u>2</u> PROPOSED ORDER)(wgc,) Additional attachment(s) added on 12/1/2004 (wgc,). (Entered: 11/26/2004)
11/24/2004	<u>54</u>	THE PARTIES' JOINT MOTION FOR: FINAL APPROVAL OF A CLASSWIDE SETTLEMENT; AND ATTORNEYS' FEES AND EXPENSE REIMBURSEMENTSMEMORANDUM OF LAW, CERTIFICATE OF SERVICE. (Attachments: # <u>1</u> MEMO# <u>2</u> PROPOSED ORDER)(wgc,) Additional attachment(s) added on 12/1/2004 (wgc,). (Entered: 11/26/2004)

11/29/2004	<u>55</u>	RESPONSE to Motion re <u>53</u> MOTION to Withdraw filed by SUNOCO, INC., Certificate of Service. (KENNEDY, WILLIAM) Modified on 12/1/2004 (np). (Entered: 11/29/2004)
11/30/2004	56	AFFIDAVIT of Robert T. Vance, Jr., Esquire on behalf of DEWAYNE KETCHUM, EVERETT L. RICHARDSON, JR, ROBERT J. HARRIS, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, THEODORE I. BUSCH, JR. in Support of Fee Petition, Certificate of Service. (cdd,) (Entered: 11/30/2004)
12/02/2004	57	Minute Entry for Final Fairness hearing held on 11/30/04 before Judge CLIFFORD SCOTT GREEN. Court Reporter: ESR. Counsel for plffs. and deft. address the Court. Mr. Busch's motion to withdraw as class representative – GRANTED. Piff's witness called and sworn. (cdd,) (Entered: 12/03/2004)
12/03/2004	58	Letter from Martin J. D'Urso, Esquire to Court dated 12/2/04 re: Supplemental Submission of Plaintiff's counsel in further support of their request for \$1.5 million in fees and \$150,000 in litigation expenses. (cdd,) (Entered: 12/06/2004)
12/03/2004	59	Supplemental Submission by DEWAYNE KETCHUM, EVERETT L. RICHARDSON, JR, ROBERT J. HARRIS, THOMAS LONG, BARBARA A. NEARON, LEVETTE PARISH, THEODORE I. BUSCH, JR. in Further Support of Class Counsel's Unopposed Petition for Attorneys' Fees and Expense Reimbursements, Certificate of Service. (cdd,) (Entered: 12/06/2004)
12/03/2004	60	ORDER THAT THE PROPOSED SETTLEMENT OF THIS ACTION SET FORT IN THE SETTLEMENT AGREEMENT TENDERED BY THE PARTIES IS HEREBY GRANTED THIS COURT'S FINAL APPROVAL, ETC. SETTLEMENT PROCEEDS SHALL BE DISTRIBUTED TO CLASS MEMBERS WITHIN TEN (10) DAYS OF THE DATE OF THIS ORDER USING THE ALLOCATION PROCESS DESCRIBED BY PLAINTIFFS EXPERTS, ETC. THE REQUEST OF THEODORE BUSCH TO WITHDRAW AS NAMED PLAINTIFF IS GRANTED. THE SPECIAL AWARD (\$30,000) THAT OTHERWISE WOULD HAVE BEEN PAID TO HIM AS A CLASS REPRESENTATIVE SHALL BE DISTRIBUTED TO CLASS MEMBERS AS A PART OF THE SETTLEMENT PROCESS.SIGNED BY JUDGE CLIFFORD SCOTT GREEN ON 12/3/04. 12/6/04 ENTERED AND COPIES MAILED AND FAXED.(cdd,) (Entered: 12/06/2004)
01/17/2006	61	TRANSCRIPT of Proceedings, Final approval of settlement agreement held on 11/30/04 before Judge Clifford Scott Green. Court Reporter/ESR – Michael Owens. (mac,) Modified on 1/18/2006 (mac,). (Entered: 01/18/2006)