

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:16-cv-00225-CB**

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION v. SCOTT MEDICAL HEALTH CENTER,
P.C.

Assigned to: Judge Cathy Bissoon
related Case: 2:15-cv-01682-CB
Cause: 42:1981 Civil Rights

Plaintiff

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Date Filed: 03/01/2016
Date Terminated: 11/16/2017
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

represented by **Deborah A. Kane**
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V.

Defendant

**SCOTT MEDICAL HEALTH
CENTER, P.C.**

represented by **SCOTT MEDICAL HEALTH
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**AMERICAN CIVIL LIBERTIES
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**9T05 NATIONAL ASSOCIATION
OF WORKING WOMEN**

represented by **Ria Tabacco Mar**
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LEAD ATTORNEY

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**CALIFORNIA WOMENS LAW
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A BETTER BALANCE

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EQUAL RIGHTS ADVOCATES

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GENDER JUSTICE

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LEGAL VOICE

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Lenora Lapidus

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Date Filed	#	Docket Text
03/01/2016	<u>1</u>	COMPLAINT against SCOTT MEDICAL HEALTH CENTER, P.C., filed by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Civil Cover Sheet) (plh) (Entered: 03/01/2016)
03/03/2016	<u>2</u>	First MOTION for attorney Ronald L. Phillips to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3882603) by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Affidavit Declaration of Ronald Phillips, # <u>2</u> Proposed Order) (Kane, Deborah) (Entered: 03/03/2016)
03/03/2016	3	ORDER denying as moot <u>2</u> Motion for Ronald L. Phillips, Esq., to Appear Pro Hac Vice on behalf of the EEOC. Pursuant to this District's policies, non-contract lawyers

		appearing on behalf of federal agencies are not required to secure pro hac vice admission. Instructions for requesting a return of the \$40 pro hac vice fee are available on the Court's website, at http://www.pawd.uscourts.gov/sites/pawd/files/PayGovRefundInstructions.pdf . Signed by Judge Cathy Bissoon on 3/3/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (dcd) (Entered: 03/03/2016)
03/03/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>2</u> Motion to Appear Pro Hac Vice. ERROR: Signature on document and filer do not match. CORRECTION: Attorney advised of signature requirements. Attorney to resubmit the document using the Errata event. This message is for informational purposes only. (plh) (Entered: 03/04/2016)
03/04/2016	<u>4</u>	NOTICE of Appearance by Charles H. Saul on behalf of SCOTT MEDICAL HEALTH CENTER, P.C.. (Saul, Charles) (Entered: 03/04/2016)
03/04/2016	<u>5</u>	NOTICE of Appearance by Ronald L. Phillips on behalf of U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Phillips, Ronald) (Entered: 03/04/2016)
03/07/2016	<u>6</u>	WAIVER OF SERVICE Returned Executed by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. SCOTT MEDICAL HEALTH CENTER, P.C. waiver sent on 3/1/2016, answer due 5/2/2016. (Kane, Deborah) (Entered: 03/07/2016)
03/09/2016	<u>7</u>	DISTRICT JUDGE OPTION by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION to have this case randomly assigned to a U.S. District Judge. (Kane, Deborah) (Entered: 03/09/2016)
03/09/2016	<u>8</u>	NOTICE of Appearance by Kyle T. McGee on behalf of SCOTT MEDICAL HEALTH CENTER, P.C.. (McGee, Kyle) (Entered: 03/09/2016)
03/10/2016	<u>9</u>	Disclosure Statement identifying None as corporate parent or other affiliate, by SCOTT MEDICAL HEALTH CENTER, P.C.. (Saul, Charles) (Entered: 03/10/2016)
05/02/2016	<u>10</u>	Stipulation for Extension of Time to Answer by SCOTT MEDICAL HEALTH CENTER, P.C. Answer due from SCOTT MEDICAL HEALTH CENTER, P.C. on 5/9/2016. (McGee, Kyle) (Entered: 05/02/2016)
05/02/2016		Update Answer Deadline: Answer due 5/9/2016 from SCOTT MEDICAL HEALTH CENTER, P.C. (plh) (Entered: 05/03/2016)
05/09/2016	<u>11</u>	MOTION to Dismiss re: <u>1</u> Complaint pursuant to Fed.R.Civ P. 12 (b)(1) and (6), by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) Modified on 5/10/2016. (plh) (Entered: 05/09/2016)
05/09/2016	<u>12</u>	BRIEF in Support re <u>11</u> Motion to Dismiss re: <u>1</u> Complaint pursuant to Fed.R.Civ.P. 12 (b)(1) and (6) filed by SCOTT MEDICAL HEALTH CENTER, P.C. (Attachments: # <u>1</u> Exhibit 1 Fullard Charge, # <u>2</u> Exhibit 2 Griffie Charge, # <u>3</u> Exhibit 3 Mackie Charge, # <u>4</u> Exhibit 4 Wieczorek Charge, # <u>5</u> Exhibit 5 Eber Charge, # <u>6</u> Exhibit 6 Fullard Determination, # <u>7</u> Exhibit 7 Griffie Determination, # <u>8</u> Exhibit 8 Mackie Determination, # <u>9</u> Exhibit 9 Wieczorek Determination, # <u>10</u> Exhibit 10 Eber Determination, # <u>11</u> Exhibit 11 Hieronimus Determination, # <u>12</u> Exhibit 12 EEOC Press Release) (Saul, Charles) Modified on 5/10/2016. (plh) (Entered: 05/09/2016)
05/09/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>11</u> Motion to Dismiss for Failure to State a Claim, Motion to Dismiss/Lack of Jurisdiction. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. CLERK'S OFFICE QUALITY CONTROL MESSAGE. ERROR: Multiple Motions not filed. CORRECTION: Motion to Dismiss to State a Claim. This message is for informational purposes only. (plh) (Entered: 05/10/2016)
05/10/2016	<u>13</u>	ORDER Response re <u>11</u> Motion to Dismiss. Consistent with the undersigned's Practices and Procedures (http://www.pawd.uscourts.gov/sites/pawd/files/bissoon_pp.pdf), Plaintiff's response is due by 5/31/16. All future motions in this case will be governed by the undersigned's Practices and Procedures, and no briefing schedule will issue. If the parties consent to

		the jurisdiction of a magistrate judge in this case, the parties must file a stipulation consenting to such jurisdiction on or before 5/20/16. If any party declines to consent, no stipulation or other filing is required. Signed by Judge Cathy Bissoon on 5/10/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 05/10/2016)
05/27/2016	<u>14</u>	Consent MOTION for Leave to File Excess Pages for Memorandum in Opposition to Defendant's Motion to Dismiss by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Proposed Order) (Kane, Deborah) (Entered: 05/27/2016)
05/27/2016	<u>15</u>	ORDER granting in part and denying in part <u>14</u> Plaintiff's Motion for Leave to File Memorandum in Excess of Page Limitations. Plaintiff is granted leave to file a Responsive Memorandum of no more than 40 pages inclusive of any factual summaries and tables. Signed by Judge Cathy Bissoon on 5/27/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 05/27/2016)
05/31/2016	<u>16</u>	BRIEF in Opposition re <u>11</u> Motion to Dismiss re: <u>1</u> Complaint filed by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Kane, Deborah) Modified on 6/1/2016. (plh) (Entered: 05/31/2016)
06/06/2016	<u>17</u>	MOTION for Extension of Time to File Response/Reply as to <u>16</u> Brief in Opposition to Motion by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) (Entered: 06/06/2016)
06/06/2016	<u>18</u>	ORDER granting <u>17</u> Defendant's Unopposed Motion for Extension of Time to File its Reply Brief. Defendant's Reply is due on or before 6/20/2016. Signed by Judge Cathy Bissoon on 6/6/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/06/2016)
06/07/2016	<u>19</u>	MOTION for Leave to File Brief Amici Curiae in Support of re: <u>16</u> Plaintiff EEOC's Opposition to Defendant's Motion to Dismiss by AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA. (Attachments: # <u>1</u> Exhibit Amicus Brief, # <u>2</u> Exhibit Corporate Disclosure Statement, # <u>3</u> Proposed Order) (Rose, Sara) Modified on 6/8/2016. (plh) (Entered: 06/07/2016)
06/07/2016	<u>20</u>	MOTION for attorney Lenora M. Lapidus to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3983883) by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA, 9to5, National Association of Working Women, California Womens Law Center, A Better Balance, Equal Rights Advocates, Feminist Majority Foundation, Gender Justice, Legal Voice, National Womens Law Center, Southwest Womens Law Center, Womens Law Center of Maryland, Women's Law Project Western Pennsylvania. (Attachments: # <u>1</u> Affidavit of Lenora M Lapidus in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Proposed Order (Lapidus, Lenora) (Entered: 06/07/2016)
06/07/2016	<u>21</u>	MOTION for attorney Ria Tabacco Mar to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3983902) by 9to5, National Association of Working Women, A Better Balance, AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA, California Womens Law Center, Equal Rights Advocates, Feminist Majority Foundation, Gender Justice, Legal Voice, National Womens Law Center, Southwest Womens Law Center, Women's Law Project Western Pennsylvania, Womens Law Center of Maryland. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order) (Tabacco Mar, Ria) (Entered: 06/07/2016)
06/07/2016	<u>22</u>	MOTION to File Amicus Brief in Support of re: <u>16</u> Plaintiff's Opposition to Defendant's Motion to Dismiss by Lambda Legal Defense and Education Fund. (Attachments: # <u>1</u> Exhibit Brief, # <u>2</u> Proposed Order) (Palmer, Tracie) Modified on 6/8/2016. (plh) (Entered: 06/07/2016)
06/07/2016	<u>23</u>	Disclosure Statement identifying None as corporate parent or other affiliate, by Lambda Legal Defense and Education Fund. (Palmer, Tracie) (Entered: 06/07/2016)
06/07/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>22</u> Motion to File Amicus Brief. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (plh) (Entered: 06/07/2016)

		06/08/2016)
06/07/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>19</u> Motion for Leave to File. ERROR: Document incorrectly linked. CORRECTION: Linked to appropriate document. This message is for informational purposes only. (plh) Modified on 7/5/2016. (tt) (Entered: 06/08/2016)
06/08/2016	<u>24</u>	MOTION for attorney Omar Gonzalez–Pagan to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315–3985410) by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order) (Gonzalez–Pagan, Omar) (Entered: 06/08/2016)
06/08/2016	<u>25</u>	MOTION for attorney Gregory R. Nevins to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315–3985420) by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order) (Nevins, Gregory) (Entered: 06/08/2016)
06/10/2016	26	ORDER granting <u>19</u> Motion for Leave to File Brief Amici Curiae by the American Civil Liberties Union; American Civil Liberties Union of Pennsylvania; 9to5, National Association of Working Women; A Better Balance; California Womens Law Center; Equal Rights Advocates; Feminist Majority Foundation; Gender Justice; Legal Voice; National Womens Law Center; Southwest Womens Law Center; Womens Law Center of Maryland; and Womens Law Project. IT IS FURTHER ORDERED that any brief filed must be done in accordance with the undersigned's Practices and Procedures (http://www.pawd.uscourts.gov/sites/pawd/files/bissoon_pp.pdf). Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	27	ORDER granting <u>22</u> Motion to File Amicus Brief by Lambda Legal Defense and Education Fund, Inc. IT IS FURTHER ORDERED that any brief filed must be done in accordance with the undersigned's Practices and Procedures (http://www.pawd.uscourts.gov/sites/pawd/files/bissoon_pp.pdf). Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	28	ORDER granting <u>20</u> Motion for Lenora M. Lapidus to Appear Pro Hac Vice. Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	29	ORDER granting <u>21</u> Motion for Ria Tabacco Mar to Appear Pro Hac Vice. Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	30	ORDER granting <u>24</u> Motion for Omar Gonzalez–Pagan to Appear Pro Hac Vice. Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	31	ORDER granting <u>25</u> Motion for Gregory R. Nevins to Appear Pro Hac Vice. Signed by Judge Cathy Bissoon on 6/10/16. Text–only entry; no PDF document will issue. This text–only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/10/2016)
06/10/2016	<u>32</u>	BRIEF in Support of <u>16</u> Brief in Opposition to Motion to Dismiss filed by 9TO5 NATIONAL ASSOCIATION OF WORKING WOMEN, A BETTER BALANCE, AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA, CALIFORNIA WOMENS LAW CENTER, EQUAL RIGHTS ADVOCATES, FEMINIST MAJORITY FOUNDATION, GENDER JUSTICE, LEGAL VOICE, NATIONAL WOMENS LAW CENTER, SOUTHWEST WOMENS LAW CENTER, WOMEN'S LAW PROJECT WESTERN PENNSYLVANIA, WOMENS LAW CENTER OF MARYLAND. (Rose, Sara) (Entered: 06/10/2016)

06/13/2016	<u>33</u>	BRIEF in Support of <u>16</u> Brief in Opposition to Motion to Dismiss filed by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. (Gonzalez-Pagan, Omar) Modified on 6/14/2016. (plh) This document removed from public view for signature requirements. (Entered: 06/13/2016)
06/13/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>33</u> Brief in Support – Other. ERROR: Signature on document and filer do not match. CORRECTION: Attorney advised of signature requirements. Attorney to resubmit the document using the Errata event. This message is for informational purposes only. (plh) (Entered: 06/14/2016)
06/14/2016	<u>34</u>	Errata re <u>33</u> Brief in Support – Other of <u>16</u> Brief in Opposition to Motion to Dismiss by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. Reason for Correction: Fixing signature to match filer. (Gonzalez-Pagan, Omar) (Entered: 06/14/2016)
06/17/2016	<u>35</u>	MOTION for Leave to File Excess Pages by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) (Entered: 06/17/2016)
06/20/2016	<u>36</u>	ORDER granting <u>35</u> Motion for Leave to File Excess Pages, Defendant permitted to file reply brief up to 13 pages. Signed by Judge Cathy Bissoon on 6/20/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jhi) (Entered: 06/20/2016)
06/20/2016	<u>37</u>	MOTION for attorney David C. Williams to Appear Pro Hac Vice, (Filing fee \$40, Receipt # 0315-3996972) by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order, # <u>3</u> Exhibit Good Standing Certificate, # <u>4</u> Supplement Certificate of Service) (Williams, David) Modified on 6/21/2016. (plh) SEE ERRATA at Doc # <u>40</u> for correction. (Entered: 06/20/2016)
06/20/2016	<u>38</u>	REPLY BRIEF re <u>16</u> Brief in Opposition to Motion to Dismiss Complaint filed by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Exhibit Supplemental Declaration) (Saul, Charles) (Entered: 06/20/2016)
06/20/2016		CLERK'S OFFICE QUALITY CONTROL MESSAGE re <u>37</u> Motion to Appear Pro Hac Vice. ERROR: Typed name omitted by s/. CORRECTION: Attorney advised of signature requirements. Attorney to resubmit with signature, using Errata event. This message is for informational purposes only. (plh) (Entered: 06/21/2016)
06/21/2016	<u>39</u>	ORDER granting <u>37</u> Motion for David C. Williams to Appear Pro Hac Vice. Signed by Judge Cathy Bissoon on 6/21/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rld) (Entered: 06/21/2016)
06/21/2016	<u>40</u>	Errata re <u>37</u> Motion to Appear Pro Hac Vice, <i>David C. Williams</i> by LAMBDA LEGAL DEFENSE AND EDUCATION FUND. Reason for Correction: s/ to Attorney signatures. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order, # <u>3</u> Exhibit Good Standing Certificate, # <u>4</u> Certificate of Service) (Williams, David) (Entered: 06/21/2016)
06/27/2016	<u>41</u>	MOTION for Leave to File Sur-reply Brief in Opposition to Defendant's Rule 12(b)(1) and 12(b)(6) Motion to Dismiss by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit Sur-reply Brief, # <u>2</u> Proposed Order) (Kane, Deborah) (Entered: 06/27/2016)
06/29/2016	<u>42</u>	ORDER granting <u>41</u> Plaintiff's Motion for Leave to File Sur Reply Brief in Opposition to Defendant's Motion to Dismiss. Aside from Plaintiff's Sur Reply Brief, no additional briefing will be accepted. Signed by Judge Cathy Bissoon on 6/29/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 06/29/2016)
06/29/2016	<u>43</u>	Sur-Reply Brief re <u>11</u> Motion to Dismiss for Failure to State a Claim, Motion to Dismiss/Lack of Jurisdiction, filed by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Kane, Deborah) (Entered: 06/29/2016)
07/29/2016	<u>44</u>	MOTION for Judicial Notice re <u>11</u> MOTION to Dismiss re: <u>1</u> Complaint pursuant to Fed.R.Civ.P. 12 (b)(1) and (6) by SCOTT MEDICAL HEALTH CENTER, P.C. by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) Modified on 8/1/2016. (plh) (Entered: 07/29/2016)

08/01/2016	45	ORDER granting <u>44</u> Defendant's Motion for Judicial Notice. Signed by Judge Cathy Bissoon on 8/1/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 08/01/2016)
10/12/2016	<u>46</u>	MOTION for Judicial Notice re <u>11</u> MOTION to Dismiss re: <u>1</u> Complaint pursuant to Fed.R.Civ.P. 12 (b)(1) and (6) filed by SCOTT MEDICAL HEALTH CENTER, P.C. by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order) (Kane, Deborah) Modified on 10/13/2016. (plh) (Entered: 10/12/2016)
10/17/2016	47	ORDER granting <u>46</u> Plaintiff's Motion for Judicial Notice. The Court hereby takes judicial notice that the appellate decision by the Seventh Circuit in Hively v. Ivy Tech Cmty. College, 2016 U.S. App. LEXIS 13746 (7th Cir. 2016) has been vacated in light of that court's order granting en banc review. Signed by Judge Cathy Bissoon on 10/17/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 10/17/2016)
11/04/2016	<u>48</u>	ORDER. For the reasons stated in the Memorandum Order filed herewith, Defendant's Motion to Dismiss (Doc. <u>11</u>) is DENIED. Signed by Judge Cathy Bissoon on 11/4/16. (jwr) (Entered: 11/04/2016)
11/10/2016	49	ORDER. Defendant is reminded of its obligations pursuant to Federal Rule of Civil Procedure 14(a)(4)(A) to answer the Complaint no more than 14 days after the date of this Court's Order denying the motion to dismiss. Therefore, Defendant's answer is due on or before 11/18/16. Signed by Judge Cathy Bissoon on 11/10/16. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 11/10/2016)
11/18/2016	<u>50</u>	ANSWER and Affirmative Responses to <u>1</u> Complaint by SCOTT MEDICAL HEALTH CENTER, P.C. (Saul, Charles) (plh) (Entered: 11/18/2016)
11/18/2016	<u>51</u>	ORDER, setting Case Management Conference before Judge Cathy Bissoon, more fully stated in said order. Signed by Judge Cathy Bissoon on 1/4/17. (jhi) (Entered: 11/18/2016)
12/29/2016	<u>52</u>	REPORT of Rule 26(f) Planning Meeting. (Kane, Deborah) (Entered: 12/29/2016)
12/29/2016	<u>53</u>	STIPULATION selecting ADR process by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Kane, Deborah) (Entered: 12/29/2016)
01/04/2017	<u>54</u>	Minute Entry for proceedings held before Judge Cathy Bissoon: Case Management Conference held on 1/4/2017. (Court Reporter: none). Order to follow. (jwr) (Entered: 01/04/2017)
01/05/2017	<u>55</u>	CASE MANAGEMENT ORDER. See contents of this filing for detailed instructions and deadlines. Signed by Judge Cathy Bissoon on 1/5/17. (jwr) (Entered: 01/05/2017)
04/03/2017	56	ORDER, at request of counsel, a telephone conference re: Discovery is now set for 4/5/2017 at 11:00 AM before Judge Cathy Bissoon. Counsel for the Plaintiff shall initiate the conference call. Signed by Judge Cathy Bissoon on 4/3/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jhi) (Entered: 04/03/2017)
04/05/2017	<u>57</u>	Minute Entry for proceedings held before Judge Cathy Bissoon: Telephone Conference re Discovery held on 4/5/2017. (Court Reporter: none) Order to follow. (jhi) (Entered: 04/05/2017)
04/05/2017	58	ORDER. Consistent with discussions during today's Telephone Conference re Discovery, the Court hereby ORDERS the following: Defendant may depose Ms. Rodia on (a) what was said by her and Mr. Baxley during Ms. Rodia's interview of Mr. Baxley; and (b) other issues involving her investigation, such as whether she spoke to other Scott Medical employees concerning Mr. Baxley's allegations, and if so, what was stated. IT IS FURTHER ORDERED that as to Mr. Baxley's medical records from Dr. Berge's office, the parties will work to determine what additional records exist. As to Dr. Vasil, Defendant is entitled to all of Mr. Baxley's medical records created January 1, 2010 and thereafter. Moreover, if requested, Defendant is entitled to medical release authorizations signed by Mr. Baxley. IT IS FURTHER ORDERED that Defendant is entitled to discovery of materials from Mr. Baxley's personnel file

		from his immediate subsequent employer limited to the following two categories of material: any materials in Mr. Baxley's personnel file that concern Mr. Baxley's application for employment as a well as any references in the personnel file that deal with any incidents of counseling. Signed by Judge Cathy Bissoon on 4/5/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 04/05/2017)
04/06/2017	<u>59</u>	STIPULATED PROTECTIVE ORDER by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Kane, Deborah) (Entered: 04/06/2017)
04/07/2017	60	ORDER adopting the parties' Stipulated Order Regarding Confidentiality of Discovery Material (Doc. <u>59</u>) subject to the following revisions. Paragraph 2(b) is AMENDED to include the following language: Requests to file under seal also shall comply with this Court's ECF Ps & Ps regarding the same. See web page -- http://www.pawd.uscourts.gov/sites/pawd/files/ECFPolProcAmended062013.pdf -- at 8; moreover, paragraph 4 is AMENDED to include the following language: Any requests for judicial intervention also are governed by § III.B.3 of Judge Bissoon's Ps & Ps (see web page at http://www.pawd.uscourts.gov/sites/pawd/files/bissoon_pp.pdf) (requiring telephonic conference before proceeding to motions practice). Signed by Judge Cathy Bissoon on 4/7/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 04/07/2017)
05/03/2017	<u>61</u>	Minute Entry for proceedings held before Judge Cathy Bissoon: Telephone Conference held on 5/3/2017. (Court Reporter: none) Order to follow. (jhi) (Entered: 05/03/2017)
05/03/2017	<u>62</u>	ORDER SETTING TRIAL. A jury trial in this matter is scheduled to commence December 4, 2017 at 9:00 AM. See contents of this filing for detailed instructions and deadlines. Signed by Judge Cathy Bissoon on 5/3/17. (jwr) (Entered: 05/03/2017)
06/14/2017	63	ORDER. The jury trial scheduled for 12/4/17 at 9:00 a.m. is RESCHEDULED to commence on 12/11/17 at 9:00 a.m. All other deadlines and instructions in the Final Pretrial Order (Doc. <u>62</u>) remain UNAFFECTED. Signed by Judge Cathy Bissoon on 6/14/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (dcd) (Entered: 06/14/2017)
09/07/2017	<u>64</u>	MOTION to Withdraw as Attorney by SCOTT MEDICAL HEALTH CENTER, P.C. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) (Entered: 09/07/2017)
09/08/2017	65	ORDER. The Motion to Withdraw as Attorney by DEFENDANT SCOTT MEDICAL HEALTH CENTER, P.C.'s Attorneys is DENIED without prejudice to refilling in accordance with the applicable local rule. See LCvR 83.2.C.4. Signed by Judge Cathy Bissoon on 9/8/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (jwr) (Entered: 09/08/2017)
09/11/2017	<u>66</u>	Unopposed MOTION for Status Conference by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Proposed Order) (Kane, Deborah) (Entered: 09/11/2017)
09/11/2017	67	ORDER. Plaintiff's unopposed Motion for a Status Conference <u>66</u> is hereby GRANTED. The Conference will be held by telephone on 9/13/17 at 10:30 AM. All participants shall contact the undersigned's Chambers (412.208.7460) on a single telephone line, and Plaintiff's counsel shall coordinate the call. Signed by Judge Cathy Bissoon on 9/11/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rdl) (Entered: 09/11/2017)
09/11/2017		Status Conference set for 9/13/2017 10:30 AM before Judge Cathy Bissoon. See text order entered today. (rdl) (Entered: 09/11/2017)
09/13/2017	<u>68</u>	MOTION to Withdraw as Attorney by SCOTT MEDICAL HEALTH CENTER, P.C.. (Attachments: # <u>1</u> Proposed Order) (Saul, Charles) (Entered: 09/13/2017)
09/13/2017	<u>69</u>	Minute Entry for proceedings held before Judge Cathy Bissoon: Telephone Conference held on 9/13/2017. (Court Reporter: None) Once the motion to withdraw is granted, the EEOC intends to pursue a default judgment against Scott Medical as it is

		now clear that Scott Medical does not intend to secure new legal counsel and cannot proceed in the case without legal counsel. (jhi) (Entered: 09/13/2017)
09/13/2017	<u>70</u>	ORDER granting <u>68</u> Motion to Withdraw as Attorney. Attorneys Kyle T. McGee and Charles H. Saul terminated. Scott Medical understands that it cannot proceed without counsel as it is a corporate entity. See Evanston Ins. Co. v. Layne Thomas Builders, Inc., 2010 WL 1213433, *2 (D. Del. Mar. 26, 2010) (holding same, citation omitted); Thompson v. Wyrks Tool and Mach. Ltd, 2010 WL 3008608 (W.D. Pa. 2010) ("[C]orporations may not proceed in federal court 'pro se.'"). Scott Medical has indicated that it does not intend to retain new counsel in this matter. Signed by Judge Cathy Bissoon on 9/13/17. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rdl) (Entered: 09/13/2017)
09/14/2017	<u>71</u>	MOTION for Default Judgment against SCOTT MEDICAL HEALTH CENTER, P.C. by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Proposed Order) (Kane, Deborah) (Entered: 09/14/2017)
09/25/2017	<u>72</u>	ORDER granting Plaintiff's Motion for Default Judgment as to liability and setting hearing as to damages. Plaintiff's Motion for Default Judgment (Doc. <u>71</u>) is hereby GRANTED as to liability. A damages hearing is scheduled for 10/30/17 at 2:15 p.m. in Courtroom 3A before Judge Cathy Bissoon. Signed by Judge Cathy Bissoon on 9/25/2017. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (kg) (Entered: 09/25/2017)
09/26/2017	<u>73</u>	NOTICE of Appearance by Catherine N. Sellers on behalf of U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Sellers, Catherine) (Entered: 09/26/2017)
10/30/2017	<u>74</u>	Minute Entry for proceedings held before Judge Cathy Bissoon: Motion Hearing held on 10/30/2017 re <u>71</u> MOTION for Default Judgment against SCOTT MEDICAL HEALTH CENTER, P.C. filed by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Court Reporter: Deborah Rowe) Order to follow. (jhi) (Entered: 10/30/2017)
10/30/2017	<u>75</u>	SUPPLEMENT by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Kane, Deborah) (Entered: 10/30/2017)
10/30/2017	<u>76</u>	ORDER. As further stated in the contents of this filing, Plaintiff shall file proposed findings of fact and conclusions of law, along with a supporting brief, no later than November 13, 2017. In addition to filing, Plaintiff shall email an editable Microsoft Word copy of the proposed findings of fact and conclusions of law to: bissoon_external@pawd.uscourts.gov. Signed by Judge Cathy Bissoon on 10/30/17. (rdl) (Entered: 10/30/2017)
11/02/2017	<u>77</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings re MOTION HEARING held on October 30, 2017 before Judge Cathy Bissoon. Court Reporter Deborah Rowe, Telephone number 412-471-2510. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely, electronically available to the public without redaction after 90 calendar days. For redaction purposes, or otherwise, during this 90 day period a copy of the transcript may be purchased from the court reporter or viewed at the clerk's office public terminal. Any Notice of Intent to Request Redaction and Redaction Request must be separately mailed to the court reporter of said proceedings. Notice of Intent for Redaction of Personal Data Identifiers due by 11/9/2017. Redaction Request due 11/24/2017. Redacted Transcript Deadline set for 12/4/2017. Release of Transcript Restriction set for 1/31/2018. (dsr) (Entered: 11/02/2017)
11/13/2017	<u>78</u>	Proposed Findings of Fact and Conclusions of Law by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Kane, Deborah) (Entered: 11/13/2017)
11/13/2017	<u>79</u>	BRIEF in Support re <u>78</u> Proposed Findings of Fact and Conclusions of Law by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A – Back Pay Calculation, # <u>3</u> Exhibit B – Prejudgment Interest Rates) (Kane, Deborah) Modified on 11/14/2017 to correct title of event selected and add document linkage. (ept) (Entered: 11/13/2017)

11/16/2017	<u>80</u>	FINDINGS OF FACT AND CONCLUSIONS OF LAW. See filing attached at this docket entry. Signed by Judge Cathy Bissoon on 11/16/17. (rdl) (Entered: 11/16/2017)
11/16/2017	<u>81</u>	JUDGMENT in favor of Plaintiff and against Defendant as further elaborated in the Judgment Order attached at this docket entry. Deft is hereby Permanently Enjoined from violating provisions as stated more fully in said Order. Judgment is entered, in favor of pltf and against deft, in the amount of \$55,500.43. The Court, having resolved all matters before it, will enter herewith an Order under Federal Rule 58 and mark this case closed. Signed by Judge Cathy Bissoon on 11/16/17. (rdl) Modified on 12/7/2017. (tt) (Entered: 11/16/2017)
11/16/2017	<u>82</u>	JUDGMENT ORDER. FINAL JUDGMENT is hereby entered pursuant to Rule 58 of the Federal Rules of Civil Procedure. This case has been marked closed. Signed by Judge Cathy Bissoon on 11/16/17. (rdl) (Entered: 11/16/2017)
11/20/2017	<u>83</u>	BILL OF COSTS by U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION in the amount of \$1913.05 against Scott Medical Health Center, P.C.. (Kane, Deborah) (Entered: 11/20/2017)
12/18/2017	<u>84</u>	Letter from the Clerk of Court calling for objections to the Bill of Costs. Objections to Bill of Costs due by 1/2/2018. (plh) (Entered: 12/19/2017)