

CASE-CLOSED, KNOWLES

U.S. District Court
Middle District of Tennessee (Columbia)
CIVIL DOCKET FOR CASE #: 1:00-cv-00123

EEOC v. Murray Incorporated, et al
Assigned to: District Judge Aleta A. Trauger
Demand: \$0
Cause: 42:12101 Americans with Disabilities Act

Date Filed: 09/29/2000
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**Equal Employment Opportunity
Commission**

represented by **Celia S. Liner**
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V.

Defendant

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Defendant

International Union UAW Local 1621

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Date Filed	#	Docket Text
09/29/2000	1	EEOC COMPLAINT (Waivers to be sent to deft) (bj) (Entered: 10/02/2000)

09/29/2000	2	NOTICE of Initial Case Management Conference: Case Management Conference set for 1:30 p.m. on 1/5/01 (bj) (Entered: 10/03/2000)
11/03/2000	3	WAIVER OF SERVICE Of Summons mailed upon deft Murray Incorporated on 10/24/00. (bj) (Entered: 11/06/2000)
12/07/2000	4	ANSWER by deft to Complaint [1-1] (bj) (Entered: 12/07/2000)
01/04/2001		PROPOSED Initial Joint Case Mgmt Order. (bj) (Entered: 01/05/2001)
01/08/2001	5	CIVIL NOTICE of hearing: Case Management Conference reset for 1:30 p.m. on 1/12/01 (bj) (Entered: 01/09/2001)
01/12/2001	6	CLERK'S RESUME: Case Management Conference held 1/12/01 ; jury trl 8/13/01 @ 9:00 in Columbia; last day to settle 8/8/01; pre trl conf 7/16/01 @ 1:30 in N'ville; schedo to enter. C/R: Charlotte Sloan (bj) (Entered: 01/16/2001)
01/12/2001	7	ORDER by Judge Thomas A. Higgins: Discovery ddl set for 4/13/01; Disp motion filing ddl 5/4/01; joint prop pretrial order ddl 7/16/01; pretrial conf set @ 1:30 p.m. 7/16/01; Jury trial set for 9:00 a.m. 8/13/01 (cc: all counsel) EOD 1/16/01 (bj) (Entered: 01/16/2001)
02/16/2001	8	NOTICE OF ATTORNEY APPEARANCE for pltf EEOC by Sally Ramsey. (bj) (Entered: 02/20/2001)
02/27/2001	9	TRANSCRIPT filed of proceedings on 1/12/01 before Judge Higgins. C/R: Charlotte H. Sloan (dlt) (Entered: 02/28/2001)
03/01/2001	10	NOTICE Of Correction Of Name And Address by Atty Sally Ramsey, f/k/a Sally Ramsey-LaRocco o/b/o pltf EEOC. (xc:AF) (bj) (Entered: 03/02/2001)
04/10/2001	11	MOTION by pltf for extension of case mgmt order ddls (bj) (Entered: 04/10/2001)
04/10/2001		PROPOSED Order extending ddls. (bj) (Entered: 04/10/2001)
04/13/2001	12	ORDER by Judge Thomas A. Higgins: granting motion for extension of case mgmt order ddls [11-1]; Discovery ddl reset for 5/11/01; Disp motion filing ddl reset to 6/4/01 ; discovery related motions ddl reset to 5/18/01. (cc: all counsel) EOD 4/13/01 (bj) (Entered: 04/13/2001)
04/17/2001	13	MOTION by pltf EEOC to amend complaint to join Rule 19(a) party (amended complaint submitted) (bj) (Entered: 04/18/2001)
04/17/2001	14	MEMORANDUM by pltf EEOC in support of motion to amend complaint to join Rule 19(a) party [13-1] (attachments) (bj) (Entered: 04/18/2001)
04/17/2001		PROPOSED Order granting motion to amend complaint. (bj) (Entered: 04/18/2001)
05/08/2001	15	ORDER by Judge Thomas A. Higgins: granting motion to amend complaint to join Rule 19(a) party [13-1]; amended complaint shall be filed w/in 10 calendar days. (cc: all counsel) EOD 5/9/01 (bj) (Entered: 05/09/2001)
05/09/2001	16	USM's SUBPOENA RETURN OF SERVICE executed personally as to Jim Oliver-Director of Health & Safety on 5/3/01. (bj) (Entered: 05/09/2001)

05/09/2001	17	USM's SUBPOENA RETURN OF SERVICE executed personally as to Sandra Calvert-Director of Human Resources on 5/3/01. (bj) (Entered: 05/09/2001)
05/16/2001	18	AMENDED COMPLAINT amending Complaint [1-1] by pltf; adding Int'l Union UAW Local 1621; jury demand. (bj) (Entered: 05/17/2001)
05/18/2001	19	MOTION by deft Murray Incorporated to compel response to request for production (attachments 1,2) (bj) (Entered: 05/21/2001)
05/18/2001		PROPOSED Order granting motion to compel. (bj) (Entered: 05/21/2001)
05/30/2001	20	RESPONSE by pltf EEOC to deft Murray, Inc.'s motion to compel response to request for production [19-1] (bj) (Entered: 05/31/2001)
05/30/2001	21	AFFIDAVIT of Sally Ramsey, Atty for pltf, in support of Response [20-1] (bj) (Entered: 05/31/2001)
06/04/2001	22	ANSWER by deft Murray Incorporated to Amended Complaint [18-1]; jury demand. (bj) (Entered: 06/05/2001)
06/04/2001	23	MOTION by deft Murray Incorporated for summary judgment (bj) (Entered: 06/05/2001)
06/04/2001	24	MEMORANDUM by deft Murray Incorporated in support of motion for summary judgment [23-1] (att'd exhibit 1, exhibits 2-11 submitted separately) (bj) Modified on 06/05/2001 (Entered: 06/05/2001)
06/04/2001	25	AFFIDAVIT of Myron L. Mills, M.D. att'd to Exhibit 4 submitted with the Memorandum In Support and in support of deft Murray Inc.'s motion for s/j [23-1] (bj) (Entered: 06/05/2001)
06/04/2001	26	STATEMENT Of Undisputed Material Facts by deft Murray Incorporated in support of motion for s/j [23-1] (bj) (Entered: 06/05/2001)
06/04/2001	27	ORDER by Judge Thomas A. Higgins: granting deft's motion to compel response to request for production [19-1]; w/in 21 days, pltf shall produce Mr. Waits' SSA files; Mr. Waits has a duty to execute the necessary release forms. (cc: all counsel) EOD 6/5/01 (bj) (Entered: 06/05/2001)
06/08/2001	28	Rule 26 (a)(2) Disclosures by defts (jb) (Entered: 06/11/2001)
06/25/2001	29	RESPONSE In Opposition by pltf EEOC to deft's motion for summary judgment [23-1] (exhibits 1-9 submitted) (bj) Modified on 06/26/2001 (Entered: 06/26/2001)
06/25/2001	30	RESPONSE by pltf EEOC to deft's Statement of Undisputed Material Facts [26-1] (bj) (Entered: 06/26/2001)
06/27/2001	31	NOTICE OF ATTORNEY APPEARANCE for deft Int'l Union UAW 1621 by Lee D. Anderson. (bj) (Entered: 06/27/2001)
06/29/2001	32	Waiver of Service of Summons executed upon Lee Anderson, counsel for deft Int'l Union UAW 1621 on 6/25/01. (bj) (Entered: 07/02/2001)
07/02/2001	33	ORDER by Judge Thomas A. Higgins: Order of recusal and case reassigned to Judge Aleta A. Trauger (cc: all counsel) EOD 7/2/01 (bj) (Entered: 07/02/2001)

07/03/2001	34	ORDER by Judge Aleta A. Trauger: Pretrial conference scheduled for 7/16/01 is cont'd; Jury trial scheduled for 8/13/01 is cont'd ; the Court will rule on the pending motion for s/j before holding a CMC; discovery is reopened as to newly-added deft Int'l Union UAW Local 1621. (cc: all counsel) EOD 7/5/01 (bj) (Entered: 07/05/2001)
07/09/2001	35	Parties' STIPULATION. (bj) (Entered: 07/10/2001)
07/27/2001	36	ANSWER by deft Int'l Union UAW 1621 to Amended Complaint [18-1] (bj) (Entered: 07/27/2001)
09/28/2001	37	NOTICE by deft Murray, Incorporated to Substitute Page 11 of Dr. Isaac Avitan's expert opinion report. (att'd pg. 11) (bj) (Entered: 10/01/2001)
11/13/2001	38	MEMORANDUM OF THE COURT (cc: all counsel) EOD 11/15/01 (gi) (Entered: 11/15/2001)
11/13/2001	39	ORDER by Judge Aleta A. Trauger: Mtn for summary judgment [23-1] is granted as to the individual claim on behalf of Tommie Waits and denied as to the EEOC's claim of a pattern or practice of discrimination for reasons stated in the accompanying memorandum. EOD 11/15/01 (cc: all counsel) (gi) (Entered: 11/15/2001)
11/14/2001	40	NOTICE of Hearing: Case Management Conference set for 4:30 on 12/7/01. (gi) (Entered: 11/15/2001)
12/07/2001	41	CLERK'S RESUME: Case Management Conference held 12/7/01 ; pltf to submit revised prop consent decree by 12/14/01; rpt to Court by 1/18/02; if case going forward, parties to submit prop schedo. (bj) (Entered: 12/10/2001)
01/22/2002	42	STATUS REPORT by parties re: status of settlement negotiations. (mk) (Entered: 01/22/2002)
01/22/2002	43	ORDER by Judge Aleta A. Trauger: Pursuant to status report [42-1], parties to submit joint report as to status of this case. If not settled, they shall submit proposed joint scheduling order with ddls for progression of the case. EOD 1/22/02 (cc: all counsel) (mk) (Entered: 01/22/2002)
02/05/2002	44	ORDER by Judge Aleta A. Trauger: The parties have notified court personnel that this case has settled. It is hereby Ordered that stipulations of dismissal or other settlement documents be filed within 20 days of the entry of this Order. EOD 02/06/02 (cc: all counsel) (ot) (Entered: 02/06/2002)
02/26/2002		PROPOSED Consent Decree to avoid the burdens of further litigation and the parties mutually agree to settle all issues between them. (ot) (Entered: 02/26/2002)
02/27/2002	45	CONSENT DECREE by Judge Aleta A. Trauger resolving all issues and claims arising out of the Commission's Complaint alleging unlawful employment policies and practices at deft's Lawrenceburg, Tn. facility arising out of Charge No. 253-98-0759 filed with the Commission by charging party Raymond T. Waits; notwithstanding any provisions contained in this Decree, this agreement shall not be considered in any manner to be dispositive of any charge now pending before any office of the Commission other than Charge No. 253-98-0759; the provisions of the this Consent Decree will be effective from the

date the decree is entered by the Court and shall continue to be effective and binding upon the parties to this action for a period of one year from the date of the entry of this decree; within 14 days of entry of this Decree, deft shall revise or modify as necessary its current medical screening policy for lift truck operators in order to conform with the requirements; deft agrees to pay Raymond Tommie Waits \$5,000 within 10 days after entry of this Consent Decree to resolve all claims arising from EEOC charge number 253-98-0759 and from the Complaint and Amended Complaint filed in this action; within 30 days of entry of this Decree, deft shall report to Regional Attorney Katharine Kores, the names of all employees referred to in Section III, paragraph E, who have elected to reapply for lift truck licensure or bid again for a lift truck operator position, and the status of the employee's eligibility; parties will bear their own costs and fees in this action; terminating case. EOD 02/28/02 (cc: all counsel) (ot) (Entered: 02/28/2002)

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