

CLOSED

U.S. District Court
Western District of Tennessee (Jackson)
CIVIL DOCKET FOR CASE #: 1:05-cv-01225-JDT-sta

Equal Employment Opportunity Commission v. River Waffles,
LLC et al
Assigned to: Chief Judge James D. Todd
Referred to: Magistrate Judge S. Thomas Anderson
Cause: 28:451 Employment Discrimination

Date Filed: 08/08/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Deidre Smith**
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
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Memphis, TN 38104
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V.

Defendant**River Waffles, LLC**

represented by **Joe E. Manuel**
 LAW OFFICE OF JOE MANUEL
 147 N. Market St.
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 Chattanooga, TN 37405
 423-266-3535
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Defendant**Collis Foods, Inc.***d/b/a Waffle House Restaurant*

represented by **Joe E. Manuel**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/08/2005	1	COMPLAINT against River Waffles, LLC, Collis Foods, Inc. , filed by Equal Employment Opportunity Commission. Copy JT/Copy JAn(jlw,) (Entered: 08/10/2005)
10/17/2005	2	ORDER : dfts to file answer by 11/15/05. Signed by Judge S. Thomas Anderson. (ejs,) (Entered: 10/17/2005)
11/17/2005	3	AGREED ORDER extending time for dft to answer to and including 01/03/06. Signed by Judge S. Thomas Anderson. (ejs,) (Entered: 11/21/2005)
01/09/2006	4	Proposed Pretrial Order <i>Proposed Consent Order</i> by Collis Foods, Inc.. (Manuel, Joe) (Entered: 01/09/2006)
01/09/2006	5	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document 4 Proposed Pretrial Order filed by Collis Foods, Inc., has been filed. However, the following deficiency has been found: proposed orders are not to be entered on the docket sheet, but rather are to be forwarded to the appropriate judge's ECF mailbox. Please see our website for further information. The filer has one business day to correct the deficiency. (ejs,) (Entered: 01/10/2006)
01/12/2006	6	SECOND DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document 4 Proposed Pretrial Order filed by Collis Foods, Inc., has been filed. However, the following deficiency has been found: order is NOT a proposed pretrial order, but rather an agreed order extending time for the dft to answer. Title of document must be corrected before forwarding to judge for approval. Proposed orders are not to be entered on the docket sheet, but rather are to be forwarded to the appropriate judge's ECF mailbox. Please see our website for more information. The filer has one business day to correct the deficiency. Failure to comply with this second notice will result in a request for further

		action from the court. (ejs,) (Entered: 01/12/2006)
01/18/2006	7	AGREED ORDER extending time for dft to answer, to and including 02/01/06. Signed by Judge S. Thomas Anderson on 01/13/06. (ejs,) (Entered: 01/18/2006)
02/19/2006	8	<p>Final Consent Decree. The provisions of this Consent Decree shall continue to be effective and binding upon the parties to this action for three (3) years.</p> <p>III. INJUNCTION PROVISIONS?A. The Defendants, their officers, agents, employees, and all persons acting in concert with the Defendants are hereby enjoined from discriminating against a qualified individual with a disability because of the disability of such individual in regard to discharge and other terms, conditions, and privileges of employment.?B. The Defendants, their officers, agents, employees, and all persons acting in concert with the Defendants shall not engage in any employment practice which has the purpose or effect of discriminating against any individual on the basis of a disability under the American With Disabilities Act of 1990.IV. NON-RETALIATION PROVISION?The Defendants, their officers, agents, employees, and all persons acting in concert with the Defendants shall not discriminate against any individual because such individual has opposed any act or practice made unlawful by the Americans With Disabilities Act or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the Americans With Disabilities.V. TRAINING?Within thirty days after receiving a copy of this Decree entered by the Court, Waffle House will provide training for its management officials and all of its employees at the Jackson, Tennessee location concerning the Americans With Disabilities Act. This training will specifically address discrimination in the terms and conditions employment of individuals with disabilities. Within twenty days after the completion of this training, Waffle House will submit a report to Katharine W. Kores, at the address indicated below, confirming that this training has occurred.VI. NOTICE POSTING?The Defendants shall continue to conspicuously post at the Jackson, Tennessee location, the notice (posters) required to be posted pursuant to the Americans With Disabilities Act of 1990. Furthermore, the Defendants shall conspicuously post the notice at Appendix A of this Decree at the Jackson facility for one year commencing within ten (10) days after entry of this Decree by the Court.VII. INDIVIDUAL RELIEF?The Defendants shall pay John Doe twenty thousand four hundred dollars (\$20,400.00) in back pay, less withholding taxes, and twenty-nine thousand six hundred dollars (\$29,600.00) in compensatory damages. The payments will be made by mailing certified checks to the Charging Party, within ten (10) days of the entry of the Consent Decree at the address which will be provided by the Commission. A copy of the checks (front and back) will be mailed at the same time to:Katharine W. Kores, Regional AttorneyEqual Employment Opportunity Commission1407 Union Avenue, Suite 621Memphis, TN 38104VII. COSTS?Each of the parties shall bear its own costs, including attorney?s fees.SO ORDERED this 19th day of February, 2006. Signed by Judge James D. Todd on 2/19/2006. (Todd, James) (Entered: 02/19/2006)</p>

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