

CLOSED

**U.S. District Court  
Western District of Tennessee (Memphis)  
CIVIL DOCKET FOR CASE #: 2:06-cv-02611-STA-dkv**

Equal Employment Opportunity Commission v. Sharp  
Manufacturing Company of America  
Assigned to: Judge S. Thomas Anderson  
Referred to: Chief Magistrate Judge Diane K. Vescovo  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/19/2006  
Date Terminated: 01/22/2009  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Deidre Smith**  
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V.

**Defendant**

**Sharp Manufacturing Company of  
America**  
*a division of Sharp Electronics  
Corporation*

represented by **Joseph M. Crout**  
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## ATTORNEY TO BE NOTICED

| Date Filed | #         | Docket Text  |
|------------|-----------|--|
| 09/19/2006 | <u>1</u>  | COMPLAINT against Sharp Manufacturing Company of America , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(cas) (Entered: 09/19/2006)  |
| 10/06/2006 | <u>2</u>  | ANSWER to Complaint by Sharp Manufacturing Company of America.(Cavagnaro, Charles) (Entered: 10/06/2006)   |
| 10/11/2006 | 3         | SETTING LETTER: Scheduling Conference set for 10/26/2006 09:30 AM in Courtroom 5 – Memphis before Diane K. Vescovo. Please email the proposed joint scheduling order to ECF_Judge_Vescovo@tnwd.uscourts.gov by Monday, October 23, 2006. If the order is approved and filed, the conference will be canceled.Please see Judge Vescovo's Rule 16(b) instructions at www.tnwd.uscourts.gov under Instructions, Procedures and Attachments to Notices.(crv) (Entered: 10/11/2006)   |
| 10/23/2006 | <u>4</u>  | SCHEDULING ORDER: (Plaintiff) Join Parties and/or Amended Pleadings due by 12/29/2006. Discovery due by 6/29/2007. (Defendant) Join Parties and/or Amend Pleadings due by 1/31/2007. Motions due by 7/31/2007.. Signed by Judge Diane K. Vescovo on 10/23/06. (bag, ) (Entered: 10/23/2006)  |
| 10/24/2006 | <u>5</u>  | SETTING LETTER: Jury Trial set for 11/5/2007 09:30 AM in Courtroom 1 – Memphis before J. Daniel Breen. Pretrial Conference set for 10/30/2007 09:00 AM in Courtroom 1 – Memphis before J. Daniel Breen. Proposed Joint Pretrial Order due 10/23/2007.(tpe, ) (Entered: 10/24/2006)   |
| 04/11/2007 | <u>6</u>  | MOTION Modify Scheduling Order re <u>4</u> Scheduling Order, <i>Proposed Order submitted</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support of Motion to Modify Scheduling Order# <u>2</u> Certificate of Consultation)(Smith, Deidre) (Entered: 04/11/2007)   |
| 04/12/2007 | <u>7</u>  | ORDER granting <u>6</u> Motion to Modify Scheduling Order . Signed by Magistrate Judge Diane K. Vescovo on 4/12/07. (Vescovo, Diane) (Entered: 04/12/2007)   |
| 04/12/2007 |           | Set/Reset Scheduling Order Deadlines: Discovery ddl by 7/31/2007. Dispositive Motions ddl by 8/31/2007. (ehg, ) (Entered: 04/13/2007)  |
| 06/18/2007 | <u>8</u>  | NOTICE to Take Deposition of Arsen H. Manugian, M.D. by Sharp Manufacturing Company of America.(Cavagnaro, Charles) (Entered: 06/18/2007)  |
| 06/18/2007 | <u>9</u>  | NOTICE to Take Deposition of W. Lee Moffatt, M.D. by Sharp Manufacturing Company of America.(Cavagnaro, Charles) (Entered: 06/18/2007)   |
| 07/17/2007 | <u>10</u> | MOTION for Protective Order by Sharp Manufacturing Company of America. (Cavagnaro, Charles) (Entered: 07/17/2007)  |
| 07/17/2007 | <u>11</u> | AGREED PROTECTIVE ORDER. Signed by Judge J. Daniel Breen on 7/17/07. (Breen, J.) (Entered: 07/17/2007)   |
| 07/27/2007 | <u>12</u> | MOTION for Extension of Time to Complete Discovery <i>and Continue Trial Date proposed order submitted</i> by Sharp Manufacturing Company of America. (Cavagnaro, Charles) (Entered: 07/27/2007)   |
| 07/31/2007 | <u>13</u> | ORDER, Motions terminated: <u>12</u> MOTION for Extension of Time to Complete Discovery and Continue Trial Date proposed order submitted filed by Sharp Manufacturing Company of America. Jury Trial re–set for 2/19/2008 09:30 AM in Courtroom 1 – Memphis before Judge J. Daniel Breen. Pretrial Conference re–set for 2/12/2008 09:00 AM in Courtroom 1 – Memphis before Judge J. Daniel Breen. Proposed Joint Pretrial Order due 2/5/2008. Signed by Judge J. Daniel Breen on 7/31/07. (tpe, ) (Entered: 07/31/2007) |
| 10/25/2007 | <u>14</u> | MOTION for Leave to File Excess Pages <i>proposed order submitted</i> by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Memorandum in Support of Defendant's Motion for Leave to File Excess Pages# <u>2</u> Certificate of Consultation)(Cavagnaro, Charles) (Entered: 10/25/2007)  |

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| 10/29/2007 | <u>15</u> | ORDER Granting <u>14</u> Unopposed Motion for Leave to File Excess Pages. Signed by Judge J. Daniel Breen on 10/29/07. (Breen, J.) (Entered: 10/29/2007)  |
| 10/31/2007 | <u>16</u> | MOTION for Summary Judgment by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Memorandum in Support of Defendant's Motion for Summary Judgment# <u>2</u> Exhibit 1 – Deposition Excerpts of Delores Vaughn# <u>3</u> Exhibit 2 – Deposition Excerpts of Daniel Wilburn# <u>4</u> Exhibit 3 – Affidavit of T.C. Jones, Jr.# <u>5</u> Exhibit 4 – Plaintiff's Response to Defendant's First Set of Interrogatories# <u>6</u> Exhibit 5 – Deposition Excerpts of W. Lee Moffatt, M.D.# <u>7</u> Exhibit 6 – Deposition Excerpts of Arsen H. Manugian, M.D.# <u>8</u> Exhibit 7 – Affidavit of Daniel Wilburn# <u>9</u> Exhibit 8 – Deposition Excerpts of Karin Tanaka# <u>10</u> Exhibit 9 – Affidavit of Karin Tanaka# <u>11</u> Exhibit 10 – Deposition Excerpts of T.C. Jones, Jr.# <u>12</u> Johnson v. St. Clare Hosp. 1998 WL 236235# <u>13</u> Inaviuc v. Hauer 1998 WL 57077# <u>14</u> Fields v. St. Bernard 11 AD Cases 1845# <u>15</u> EEOC v. Sharp Docket No. 95–2405)(Cavagnaro, Charles) (Entered: 10/31/2007)   |
| 11/20/2007 | <u>17</u> | MOTION for Extension of Time to File Response/Reply as to <u>16</u> MOTION for Summary Judgment ( <i>proposed order submitted</i> ), MOTION for Leave to File Excess Pages ( <i>proposed order submitted</i> ) by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support of Unopposed Motion for Extension of Time to Respond to Defendant's Motion for Summary Judgment and for Enlargement of the Page Limitation# <u>2</u> Certificate of Consultation)(Smith, Deidre) (Entered: 11/20/2007)  |
| 11/21/2007 | <u>18</u> | ORDER Granting <u>17</u> Plaintiff's Unopposed Motion for Extension of Time to Respond re <u>16</u> MOTION for Summary Judgment and Granting <u>17</u> Motion for Enlargement of the Page Limitation; Responses due by 12/7/2007. Signed by Judge J. Daniel Breen on 11/21/07. (Breen, J.) (Entered: 11/21/2007)  |
| 12/07/2007 | <u>19</u> | RESPONSE in Opposition re <u>16</u> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support of Response to MSJ# <u>2</u> Exhibit No. 1 – Vaughn depo excerpts# <u>3</u> Exhibit No. 2 – Sullivan Depo excerpts# <u>4</u> Exhibit No. 3 – Rice depo excerpts# <u>5</u> Exhibit No. 4 – Tanaka depo excerpts# <u>6</u> Errata No. 5 – Jones depo excerpts# <u>7</u> Exhibit No. 6– Letter from Dr. Wright# <u>8</u> Exhibit No. 7 – Moffatt depo excerpts# <u>9</u> Exhibit No. 8 – Manugian depo excerpts# <u>10</u> Exhibit No. 9 – Vaughn Separation Notice# <u>11</u> Exhibit No. 10 – Declaration of Dr. Hicks# <u>12</u> Exhibit No. 11 – Sullivan EEOC Affidavit# <u>13</u> Exhibit No. 12 – Wilburn depo excerpts# <u>14</u> Exhibit No. 13 – Chalmers EEOC Affidavit# <u>15</u> Exhibit No. 14 – Employment List, page 1# <u>16</u> Exhibit No.15 – Charge of Discrimination# <u>17</u> Exhibit No. 16 – Rice EEOC Affidavit# <u>18</u> Exhibit Vaughn Performance Evaluation, Exh. 13 to Vaughn depo# <u>19</u> Exhibit Leave Request Form, Exh. 2 to Vaughn depo# <u>20</u> Exhibit Article 34.5 of CBA, Exh. 10 to Jones depo# <u>21</u> Exhibit Notes from Dr. Moffatt, Exh. 3 and 4 to Moffatt depo# <u>22</u> Exhibit Job Description Assembler F 2, Exh. 7 to Jones Depo# <u>23</u> Exhibit Job Description, Exh. 2 to Wilburn Depo# <u>24</u> Exhibit Ergonomic Policy, Exh. 2 to Jones Depo# <u>25</u> Exhibit Article 30.5 of the CBA, Exh. 6 to Jones Depo# <u>26</u> Exhibit Employee List of Hires, Exh. 8 to Tanaka Depo# <u>27</u> Exhibit Article 7.8 of the CBA, Exh. 9 to Jones# <u>28</u> Exhibit Unreported Case – Adams v. TRW Automotive# <u>29</u> Exhibit Appl. for SS Disability, Exh. 6 to Vaughn Depo# <u>30</u> Exhibit Unreported Case – Pipkin v. M–I, LLC# <u>31</u> Exhibit Stafne v. Unicare Homes, Inc.# <u>32</u> Exhibit Unreported Case – Stephenson v. United Airlines# <u>33</u> Exhibit EEOC's Response to Defendant's Interrogatories# <u>34</u> Response to Defendant's Statement of Undisputed Facts)(Smith, Deidre) (Entered: 12/07/2007) |
| 12/21/2007 | <u>20</u> | MOTION to Strike <i>proposed order submitted</i> by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Memorandum in Support of Defendant's Motion to Strike)(Cavagnaro, Charles) (Entered: 12/21/2007)   |
| 12/21/2007 | <u>21</u> | MOTION for Leave to File <i>Reply Brief and Memorandum in Support proposed order submitted</i> by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Exhibit A – proposed Reply Brief)(Cavagnaro, Charles) (Entered: 12/21/2007)  |
| 12/26/2007 | <u>22</u> | ORDER Granting <u>21</u> Defendant's Motion for Leave to File Reply. Signed by Judge J. Daniel Breen on 12/26/07. (Breen, J.) (Entered: 12/26/2007)   |
| 12/27/2007 | <u>23</u> | REPLY to Response to Motion re <u>16</u> MOTION for Summary Judgment filed by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Exhibit B – Deposition of  |

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|            |           | Nicole Sullivan)(Cavagnaro, Charles) (Entered: 12/27/2007)   |
| 01/07/2008 | <u>24</u> | RESPONSE in Opposition re <u>20</u> MOTION to Strike <i>proposed order submitted</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support of Response in Opposition of Motion to Strke, # <u>2</u> Exhibit No. 1 – Declaration of Investigator Timothy Williams, # <u>3</u> Exhibit (Collective) No. 2 – Unreported Case #1, # <u>4</u> Exhibit (Collective) No. 2 – Unreported Case #2)(Smith, Deidre) (Entered: 01/07/2008)          |
| 01/07/2008 | <u>25</u> | ATTACHMENT <i>Exhibit No. 3 – Affidavit and Certificate (inadvertently omitted from previous filing)</i> to <u>24</u> Response in Opposition to Motion, by Equal Employment Opportunity Commission. (Smith, Deidre) (Entered: 01/07/2008)  |
| 01/09/2008 | <u>26</u> | MOTION to Withdraw as Attorney ( <i>Proposed Order Submitted</i> ) by Equal Employment Opportunity Commission. (Smith, Deidre) (Entered: 01/09/2008)   |
| 01/10/2008 | <u>27</u> | ORDER Granting <u>26</u> Plaintiff's Motion to Withdraw Counsel. Attorney Terry L. Beck terminated. Signed by Judge J. Daniel Breen on 1/10/08. (Breen, J.) (Entered: 01/10/2008)  |
| 01/22/2008 | <u>28</u> | NOTICE by Equal Employment Opportunity Commission <i>Plaintiff's PreTria Disclosures Pursuant to Fed.R.Civ.P. 26(a)(3)(C)</i> (Smith, Deidre) (Entered: 01/22/2008)  |
| 01/22/2008 | <u>29</u> | ORDER granting <u>20</u> Motion to Strike. Signed by Judge J. Daniel Breen on 1/22/2008. (Breen, J.) (Entered: 01/22/2008)   |
| 01/22/2008 | <u>30</u> | NOTICE by Sharp Manufacturing Company of America <i>of Rule 26(a)(3)(A) Pre-Trial Disclosures</i> (Cavagnaro, Charles) (Entered: 01/22/2008)   |
| 01/23/2008 | <u>31</u> | NOTICE of Appearance by Steven W. Dills on behalf of Equal Employment Opportunity Commission (Dills, Steven) (Entered: 01/23/2008)   |
| 01/31/2008 | <u>32</u> | RE-SETTING LETTER: Pretrial Conference re-set for 2/11/2008 09:30 AM in Courtroom 1 – Memphis before Judge J. Daniel Breen. (tpe, ) (Entered: 01/31/2008)  |
| 02/01/2008 | <u>33</u> | ORDER granting in part and denying in part <u>16</u> Motion for Summary Judgment. Signed by Judge J. Daniel Breen on 2/1/2008. (Breen, J.) (Entered: 02/01/2008)   |
| 02/05/2008 | <u>34</u> | MOTION in Limine <i>to Exclude Disciplinary Actions (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit No. 1– Vaughn depo excerpts, # <u>3</u> Exhibit No. 2 – Separation Notice, # <u>4</u> Exhibit No. 3 – Collective Exhibit, # <u>5</u> Exhibit No. 4 – Jones depo excerpts, # <u>6</u> Exhibit No. 5 – Unreported Case)(Smith, Deidre) (Entered: 02/05/2008)                       |
| 02/05/2008 | <u>35</u> | MOTION in Limine <i>to Exclude Testimony of Green and Leoncavallo (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit No.1 – Vaughn depo excerpts, # <u>3</u> Exhibit No. 2 – Separation Notice, # <u>4</u> Exhibit No. 3 – Jones depo excerpts, # <u>5</u> Exhibit No. 4 – Def's Rule 26a1 Disclosures, # <u>6</u> Exhibit No. 5 – Doctor's Notes)(Smith, Deidre) (Entered: 02/05/2008) |
| 02/05/2008 | <u>36</u> | MOTION in Limine <i>to Exclude Previous Case (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit No. 1)(Smith, Deidre) (Entered: 02/05/2008)   |
| 02/05/2008 | <u>37</u> | MOTION in Limine <i>to Exclude Evidence Related to SSA Records (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit No. 1 – Collective Exhibit, # <u>3</u> Exhibit No. 2 – Separation Notice, # <u>4</u> Exhibit No. 3 – Vaughn depo excerpts)(Smith, Deidre) (Entered: 02/05/2008)   |
| 02/05/2008 | <u>38</u> | MOTION in Limine <i>to Exclude Evidence Related to Decision of TN Dept of Workforce (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support)(Smith, Deidre) (Entered: 02/05/2008)  |
| 02/05/2008 | <u>39</u> | MOTION in Limine <i>to Exclude Testimony of Paul Shaffer (Proposed Order submitted)</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Memorandum in Support)(Smith, Deidre) (Entered: 02/05/2008)   |

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| 02/07/2008 | <u>40</u> | Joint MOTION to Continue <i>Trial Date proposed orde submitted</i> by Sharp Manufacturing Company of America. (Attachments: # <u>1</u> Affidavit of Reginald Yurchik)(Cavagnaro, Charles) (Entered: 02/07/2008)   |
| 02/11/2008 | <u>41</u> | ORDER Granting <u>40</u> Joint Motion to Continue Trial Date. Signed by Judge J. Daniel Breen on 2/11/08. (Breen, J.) (Entered: 02/11/2008)   |
| 05/21/2008 | <u>42</u> | ORDER REASSIGNING CASE. Case reassigned to Judge S. Thomas Anderson for all further proceedings. Judge J. Daniel Breen no longer assigned to case. Signed by Judge J. Daniel Breen on 5/21/08. (jae, ) (Entered: 05/22/2008)  |
| 07/23/2008 | <u>43</u> | SETTING LETTER: Status Conference set for 9/22/2008 01:30 PM in Courtroom 4 – Memphis before Judge S. Thomas Anderson. (tlh) (Entered: 07/23/2008)  |
| 09/02/2008 | <u>44</u> | SETTING LETTER: Status Conference RESET for 9/23/2008 10:00 AM in Courtroom 4 – Memphis before Judge S. Thomas Anderson. (tlh) (Entered: 09/02/2008)  |
| 09/23/2008 | 45        | Minute Entry for proceedings held before Judge S. Thomas Anderson: Status Conference held on 9/23/2008; Parties provided Court with history and status of case; Mediation held – case did not settle; Parties to meet with mediator again; Parties open to Judicial Mediation; Matter set for trial: Motions due by 11/21/2008; Pretrial Order due by 2/2/2009; Pretrial Conference set for 2/9/2009 01:30 PM in Courtroom 4 – Memphis before Judge S. Thomas Anderson; Jury Trial set for 2/23/2009 09:30 AM in Courtroom 4 – Memphis before Judge S. Thomas Anderson. (Plf Atty: D. Smith; Dft Attys: J. Crout, K. Bowling,III) (Court Reporter Mark Dodson.)(10:07–10:17) (tlh) (Entered: 09/23/2008)  |
| 10/14/2008 | <u>46</u> | ORDER REFERRING MOTION: <u>39</u> MOTION in Limine to Exclude Testimony of Paul Shaffer ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission, <u>37</u> MOTION in Limine to Exclude Evidence Related to SSA Records ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission, <u>38</u> MOTION in Limine to Exclude Evidence Related to Decision of TN Dept of Workforce ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission, <u>35</u> MOTION in Limine to Exclude Testimony of Green and Leoncavallo ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission, <u>34</u> MOTION in Limine to Exclude Disciplinary Actions ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission, <u>36</u> MOTION in Limine to Exclude Previous Case ( <i>Proposed Order submitted</i> ) filed by Equal Employment Opportunity Commission. Signed by Judge S. Thomas Anderson on 10/14/08. (Anderson, S.) (Entered: 10/14/2008) |
| 11/25/2008 | <u>47</u> | NOTICE of Settlement by Sharp Manufacturing Company of America (Crout, Joseph) (Entered: 11/25/2008)  |
| 01/22/2009 | <u>48</u> | CONSENT DECREE DISMISSING CASE. Signed by Judge S. Thomas Anderson on 1/22/09. (Anderson, S.) (Entered: 01/22/2009)   |
| 01/23/2009 | <u>49</u> | JUDGMENT In accordance with the Consent Decree entered on 1/22/2009, this cause is hereby dismissed. Signed by Judge S. Thomas Anderson on 1/23/2009. (Anderson, S.) (Entered: 01/23/2009)  |