

CASE-CLOSED, CASE-MANAGER-KNOWLES

U.S. District Court
Middle District of Tennessee (Nashville)
CIVIL DOCKET FOR CASE #: 3:99-cv-01184

EEOC v. Cox, et al
Assigned to: Senior Judge John T. Nixon
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 12/21/1999
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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Intervenor Plaintiff

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Date Filed	#	Docket Text
12/21/1999	1	COMPLAINT (no Summons(es) issued) (bbj) (Entered: 12/22/1999)
12/21/1999	2	NOTICE of Initial Case Management Conference ; Case Management Conference set for 9:30 2/2/00 , Case referred to Magistrate Judge Joe B. Brown (bbj) (Entered: 12/22/1999)
01/20/2000	3	SUMMONS issued as to deft Steven T. Cox (lah) (Entered: 01/21/2000)
02/04/2000		PROPOSED Agreed Order resetting case management conference (lah) (Entered: 02/07/2000)
02/07/2000	4	WAIVER OF SERVICE mailed upon deft Steven T. Cox on 2/1/00 signed for deft by Robert L. Scruggs. (lah) (Entered: 02/08/2000)

02/08/2000	5	ORDER by Magistrate Judge Joe B. Brown Case Management Conference reset for 9:30 3/3/00 . (cc: all counsel) EOD 2/8/00 (lah) (Entered: 02/08/2000)
03/06/2000		PROPOSED initial joint case management order (dlt) (Entered: 03/06/2000)
03/08/2000	6	ORDER by Magistrate Judge Joe B. Brown Discovery ddl set for 11/1/00; Dispositive motion filing deadline 12/1/00 Trial to be set no earlier than 3/1/00. EOD 3/8/00 (cc: all counsel) (dlt) (Entered: 03/08/2000)
03/29/2000	7	AMENDED COMPLAINT [1-1] by pltf EEOC; jury demand. (dlt) (Entered: 03/30/2000)
06/12/2000	8	ANSWER by deft Steven T. Cox to [7-1]; jury demand (dlt) (Entered: 06/12/2000)
08/02/2000	9	MOTION by pltf EEOC to modify initial joint case management order. (dlt) (Entered: 08/02/2000)
08/04/2000	10	ORDER by Magistrate Judge Joe B. Brown: Telephone status conference set for 9:00 on 8/11/00. EOD 8/4/00 (cc: all counsel) (gi) (Entered: 08/04/2000)
08/11/2000	11	ORDER by Magistrate Judge Joe B. Brown: Telephone conference held on 8/11/00. Deft shall have until 9/1/00 to file its mtn to dismiss. Parties are directed to notify the Magistrate Judge w/in 5 days of a decision on the mtn to dismiss for the purpose of scheduling a CMC. EEOC is directed to serve a settlement demand on the defts by 8/21/00 and defts are directed to respond thereto by 9/15/00. In the event the mtn to dismiss is not filed by 9/1/00 all limitations on discovery are lifted and the original discovery ddl of 11/1/00 for completion of discovery and 12/1/00 for filing of dispositive mtns shall be reimposed. Case referred to Magistrate Judge E. C. Knowles pursuant to Administrative Order No. 138-2. EOD 8/11/00 (cc: all counsel) (dlt) (Entered: 08/11/2000)
08/23/2000	12	MOTION by Deena Blake to intervene. (w/ attached complaint) (dlt) (Entered: 08/24/2000)
09/01/2000	13	MOTION by deft Steven T. Cox for summary judgment (dlt) (Entered: 09/05/2000)
09/01/2000	14	MEMORANDUM by deft Steven T. Cox in support of motion for summary judgment [13-1]. (w/ attached exhibits A-D) (dlt) (Entered: 09/05/2000)
09/01/2000	15	AFFIDAVIT of Stephen T. Cox re [13-1] (dlt) (Entered: 09/05/2000)
09/01/2000	16	AFFIDAVIT of Mark U. Johnson re [13-1] (dlt) (Entered: 09/05/2000)
09/01/2000	17	AFFIDAVIT of Craig Cox re [13-1] (dlt) (Entered: 09/05/2000)
09/01/2000	18	STATEMENT of uncontested facts by deft Steven T. Cox in support of [13-1]. (dlt) (Entered: 09/05/2000)
09/29/2000	19	RESPONSE by pltf EEOC to motion for summary judgment [13-1]. (w/ attached exhibits 1-9) (dlt) (Entered: 09/29/2000)
09/29/2000	20	AFFIDAVIT of W. S. Grabon re [19-1] (dlt) (Entered: 09/29/2000)
09/29/2000	21	RESPONSE by pltf EEOC to [18-1] (dlt) (Entered: 10/02/2000)

10/13/2000	22	REPLY by deft Steven T. Cox to response to motion for summary judgment [13-1]. (dlt) (Entered: 10/16/2000)
10/20/2000	23	ORDER by Magistrate Judge E. C. Knowles: granting motion to intervene by Deena Blake [12-1] (cc: all counsel) EOD 10/20/00 (bj) (Entered: 10/20/2000)
10/20/2000	24	INTERVENOR'S COMPLAINT by Deena Blake. (bj) (Entered: 10/20/2000)
10/26/2000	25	AMENDED COMPLAINT [24-1] by intevenor pltf Deena Blake; jury demand (dlt) (Entered: 10/27/2000)
12/18/2000	26	MOTION by intevenor pltf Deena Blake for addt'l time to respond to deft's motion for s/j and for leave to respond to deft's motion for s/j (bj) (Entered: 12/19/2000)
12/22/2000	27	ANSWER by deft Steven T. Cox to [25-1]; jury demand (w/ attached exhibit A) (dlt) (Entered: 12/26/2000)
01/26/2001	28	ORDER by Judge John T. Nixon granting motion for additional time to respond to deft's motion for s/j [26-1] and for leave to respond to deft's motion for s/j [26-2]. Pltf-Intervener Blake shall have until 2/28/01 in which to file a response to motion for summary judgment [13-1]. EOD 1/26/01 (cc: all counsel) (dlt) (Entered: 01/26/2001)
02/27/2001	29	MOTION by intevenor pltf Deena Blake for extension of time until 3/30/01 in which to file a response to the mtn for summary judgment . (dlt) (Entered: 02/27/2001)
02/28/2001	30	ORDER by Judge John T. Nixon granting motion for extension of time until 3/30/01 [29-1] in which to file a response to the mtn for summary judgment [13-1]. EOD 3/1/01 (cc: all counsel) (dlt) (Entered: 03/01/2001)
03/16/2001	31	MOTION by intevenor pltf Deena Blake for extension of time until 4/30/01 in which to respond to the complaint . (dlt) (Entered: 03/19/2001)
03/22/2001	32	ORDER by Judge John T. Nixon granting motion for extension of time until 4/30/01 in which to respond to the complaint [31-1]. EOD 3/22/01 (cc: all counsel) (dlt) (Entered: 03/22/2001)
03/29/2001	33	MOTION by pltf EEOC for leave to amend complaint (w/attached proposed order) (jb) (Entered: 03/30/2001)
03/29/2001	34	MEMORANDUM by pltf EEOC in support of motion for leave to amend complaint [33-1] (w/attached affidavit & exhs. 1-4; proposed unsigned copy of second amended complaint attached as part of exh. 4) (jb) (Entered: 03/30/2001)
03/29/2001	35	AFFIDAVIT of Celia S. Liner in support of motion for leave to amend complaint [33-1] (jb) (Entered: 03/30/2001)
05/01/2001	36	MOTION by intevenor pltf Deena Blake to set case management conference and for extension of time until 6/3/01 w/in which to respond to mtn for summary judgment . (dlt) (Entered: 05/02/2001)
06/06/2001	37	ORDER by Magistrate Judge E. C. Knowles granting motion to set case management conference [36-1] and for extension of time until 6/3/01 w/in which to respond to mtn for summary judgment [36-2]. Pltf-Intervener shall have until

		6/30/01 w/in which to respond to motion for summary judgment [13-1]. EOD 6/7/01 (cc: all counsel) (dlt) (Entered: 06/07/2001)
06/06/2001	38	ORDER by Magistrate Judge E. C. Knowles: Case Management Conference set for 2:00 p.m. on 7/2/01, to establish ddls for the completion fo this case. EOD 6/7/01 (cc: all counsel) (dlt) (Entered: 06/07/2001)
06/27/2001	39	MOTION by intevenor pltf Deena Blake for extension of time w/in which to file a response to the mtn for summary judgment . (dlt) (Entered: 06/28/2001)
06/29/2001	40	MEMORANDUM ORDER by Judge John T. Nixon granting motion for leave to amend complaint [33-1]. EOD 7/2/01 (cc: all counsel) (seal) Modified on 07/02/2001 (Entered: 07/02/2001)
07/02/2001	41	MEMORANDUM OF THE COURT (cc: all counsel) EOD 7/3/01 (dlt) (Entered: 07/03/2001)
07/02/2001	42	ORDER by Judge John T. Nixon: For reasons stated in the contemporaneously file Memorandum, the Court denies deft's motion for summary judgment [13-1] as premature, but may be renewed after the completion of discovery. EOD 7/3/01 (cc: all counsel) (dlt) (Entered: 07/03/2001)
07/02/2001	43	ORDER by Judge John T. Nixon: In a separate order, the Court has denied deft's mtn for summary judgment. The Court has denied motion for extension of time w/in which to file a response to the mtn for summary judgment [39-1] as moot. EOD 7/3/01 (cc: all counsel) (dlt) (Entered: 07/03/2001)
07/02/2001	44	ORDER by Magistrate Judge E. C. Knowles granting motion for leave to amend complaint [33-1]. EOD 7/3/01 (cc: all counsel) (dlt) (Entered: 07/03/2001)
07/02/2001	45	CLERK'S RESUME: Case Management Conference held on 7/2/01 . Mtn to amend-granted. Once additional deft is served, parties to submit an agreed CMO. If unable to agree, to contact the Court for additional CMC. C/R: Taped 2001-53 MK (dlt) (Entered: 07/03/2001)
07/05/2001	46	SECOND AMENDED COMPLAINT [7-1] by pltf EEOC; adding Arete MDF, LLC; jury demand (vh) (Entered: 07/06/2001)
07/16/2001	47	MOTION by intevenor pltf Deena Blake for sanctions against deft Steven T. Cox, Inc. for failure to appear . (w/ attachment) (dlt) (Entered: 07/17/2001)
07/16/2001	48	AGREED ORDER by Magistrate Judge E. C. Knowles: Terming motion for sanctions against deft Steven T. Cox, Inc. for failure to appear [47-1]. The deposition of Steven T. Cox, Inc. will take place commencing at 8:30 a.m. on 8/9/01 at the office of Braun & Crotwell. Deponent is ordered to attend this deposition. EOD 7/17/01 (cc: all counsel) (dlt) (Entered: 07/17/2001)
08/03/2001	49	RESPONSE by deft Steven T. Cox to motion for sanction [47-1] (w/attachments) (jb) (Entered: 08/06/2001)
08/27/2001	50	WAIVER OF SERVICE mailed upon deft Arete MDF, LLC on 8/21/01 (dlt) (Entered: 08/28/2001)
09/18/2001	51	RETURN OF SERVICE of subpoena issued to Kelley Ash on 9/12/01 by USM (vh) (Entered: 09/19/2001)

10/15/2001	52	MOTION by pltf EEOC to compel def't's responses to propounded discovery . (w/ att'd proposed order) (dlt) (Entered: 10/16/2001)
10/15/2001	53	MEMORANDUM by pltf EEOC in support of motion to compel def't's responses to propounded discovery [52-1] (dlt) (Entered: 10/16/2001)
10/18/2001	54	MOTION by intevenor pltf Deena Blake to enter scheduling order . (w/ att'd proposed order) (dlt) (Entered: 10/19/2001)
10/18/2001	55	ORDER by Magistrate Judge E. C. Knowles granting motion for sanctions against def't Steven T. Cox, Inc. for failure to appear [47-1]. Counsel for Pltf-Intervenor shall file an afdt w/ the Court in support of the amount sought. EOD 10/19/01 (cc: all counsel) (dlt) (Entered: 10/19/2001)
10/24/2001	56	MOTION by def't Steven T. Cox to set scheduling conference . (dlt) (Entered: 10/25/2001)
10/26/2001	57	ORDER by Magistrate Judge E. C. Knowles granting motion to set scheduling conference [56-1]; case management conference set for 1:30 p.m. on 11/8/01 to establish ddls for the progression of this case. EOD 10/29/01 (cc: all counsel) (dlt) (Entered: 10/29/2001)
11/06/2001	58	ORDER by Magistrate Judge E. C. Knowles granting motion to compel def't's responses to propounded discovery [52-1]. Pltf's counsel shall file an affidavit in support of its mtn for attorneys' fees. EOD 11/7/01 (cc: all counsel) (dlt) (Entered: 11/07/2001)
11/08/2001	59	ANSWER by def't Steven T. Cox to [46-1]; jury demand (dlt) (Entered: 11/08/2001)
11/08/2001	60	CLERK'S RESUME: Case Management Conference held 11/8/01. Court will adopt the ddls proposed by the def't. Order will enter requiring def't to answer previously compelled discovery w/in 10 days. C/R: Tape No: 2001-85 MK (dlt) (Entered: 11/09/2001)
11/09/2001	61	ORDER by Magistrate Judge E. C. Knowles granting motion to enter scheduling order [54-1]. Discovery ddl reset for 1/31/02 and dispositive mtn filing ddl reset for 4/15/02 . EOD 11/9/01 (cc: all counsel) (dlt) (Entered: 11/09/2001)
11/09/2001	62	ORDER by Magistrate Judge E. C. Knowles: On 11/8/01, the Court granted mtn to compel #58, but did not set a ddl for compliance. Def't Steven T. Cox, Inc. shall have until 11/18/01, in which to respond to the interrogatories and to produce the documents requested. EOD 11/9/01 (cc: all counsel) (dlt) (Entered: 11/09/2001)
11/14/2001	63	ORDER by Judge John T. Nixon: Pretrial conference set 10:00 a.m. on 8/16/02 and a jury trial set for 9:00 a.m. on 8/27/02 . EOD 11/14/01 (cc: all counsel) (dlt) (Entered: 11/14/2001)
12/07/2001	64	AFFIDAVIT of Celia Liner in support of award of attorneys' fees requested by the court in Order [58-1]. (dlt) (Entered: 12/11/2001)
03/08/2002		PROPOSED Arete MDF, LLC Deposition Protective Order (dlt) (Entered: 03/11/2002)

03/29/2002	65	PROTECTIVE ORDER by Magistrate Judge E. C. Knowles: The Rule 30(b)(6) deposition of Arete MDF, LLC taken on 12/3/01 shall be used for the purposes of this case only and for no other purposes. This protective order shall expire 2 years after final determination of this case unless, w/in such 2-year period, a party on mtn requests the Court to continue its existence. EOD 4/1/02 (cc: all counsel) (dlt) (Entered: 04/01/2002)
04/15/2002	66	MOTION by deft Steven T. Cox for summary judgment (dlt) (Entered: 04/16/2002)
04/15/2002	67	MEMORANDUM by deft Steven T. Cox in support of motion for summary judgment [66-1]. (w/ att'd exhibits A-B) (dlt) (Entered: 04/16/2002)
04/15/2002	68	STATEMENT of uncontested facts by deft Steven T. Cox in support of [66-1]. (dlt) (Entered: 04/16/2002)
04/15/2002	69	NOTICE by deft Steven T. Cox of filing copy of deposition of pltf Deena Blake, dated 4/17/01. (w/ att'd copy of deposition) (dlt) (Entered: 04/16/2002)
04/15/2002	70	NOTICE by deft Steven T. Cox of filing of pltf's Rule 26 Privilege Log. (w/ att'd copies of privilege log) (dlt) (Entered: 04/16/2002)
04/25/2002	71	NOTICE by pltf EEOC of filing pltf intervener's response to first set of interrogatories for consideration by the Court in opposition to deft's mtm for summary judgment. (w/ att'd response) (dlt) (Entered: 04/26/2002)
05/06/2002	72	MOTION by pltf's for an extension of time until 5/21/02 to respond to summary judgment motion (w/attached proposed order) (jb) (Entered: 05/06/2002)
05/10/2002	73	ORDER by Judge John T. Nixon granting pltf's motion for an extension of time until 5/21/02 [72-1] to file a response to motion for summary judgment [66-1]. EOD 5/10/02 (cc: all counsel) (dlt) (Entered: 05/10/2002)
05/21/2002	74	RESPONSE by pltf EEOC to motion for summary judgment [66-1]. (w/ att'd exhibits 1-24) (dlt) (Entered: 05/22/2002)
05/21/2002	75	AFFIDAVIT of Doris B. Woods re [74-1]. (w/ attachments) (dlt) (Entered: 05/22/2002)
05/21/2002	76	DECLARATION of Peggy S. Ray by pltf EEOC re [74-1]. (dlt) (Entered: 05/22/2002)
05/21/2002	77	DECLARATION of Sally Poore Matney by pltf EEOC re [74-1]. (dlt) (Entered: 05/22/2002)
05/21/2002	78	RESPONSE by pltf EEOC to deft's stmt of uncontested facts [68-1]. (dlt) (Entered: 05/22/2002)
05/21/2002	79	MOTION by pltf EEOC for default admissions . (w/ att'd proposed order) (dlt) (Entered: 05/22/2002)
05/21/2002	80	MEMORANDUM by pltf EEOC in support of motion for default admissions [79-1] . (w/ att'd afdt) (dlt) (Entered: 05/22/2002)
05/21/2002	81	AFFIDAVIT of Celia Liner re [80-1]. (w/ att'd exhibit 1, A-I) (dlt) (Entered: 05/22/2002)

05/21/2002	82	RESPONSE by intevenor pltf Deena Blake to motion for summary judgment [66-1]. (w/ attachments) (dlt) (Entered: 05/22/2002)
05/21/2002	83	STATEMENT of material facts which preclude summary judgment by intevenor pltf Deena Blake in support of [82-1]. (dlt) (Entered: 05/22/2002)
05/22/2002	84	RESPONSE by intevenor pltf Deena Blake to deft's stmt of uncontested facts [68-1]. (w/ attachment) (dlt) (Entered: 05/23/2002)
05/22/2002	85	NOTICE by intevenor pltf Deena Blake of filing page 41 of the deposition of Cindy Bunnell and the att'd documents produced by deft in opposition to deft's second mtn for summary judgment. (w/ att'd pg 41 and attachments) (dlt) (Entered: 05/23/2002)
05/30/2002	86	ORDER by Judge John T. Nixon: Court finds it necessary to hold a status conference in this case, and has set a conference for 6/13/02 at 1:30 in chambers . EOD 5/31/02 (cc: all counsel) (dlt) (Entered: 05/31/2002)
06/17/2002	87	ORDER by Judge John T. Nixon: Pltf EEOC's second request for admissions [79-1] are hereby conclusively established and may be used in the present case to the full extent allowable under these Rules. EOD 6/17/02 (cc: all counsel) (dlt) (Entered: 06/17/2002)
06/17/2002	88	ORDER by Judge John T. Nixon: Case management conference held on 6/13/02 . Case referred to Magistrate Judge Joe B. Brown to hold a settlement conference on 7/24/02 at 10:00 a.m. (EOD 6/17/02) (cc: all counsel) (dlt) (Entered: 06/17/2002)
06/19/2002	89	ORDER by Magistrate Judge Joe B. Brown: Settlement conference set for 10:00 on 7/24/02. Telephone conference set for 10:00 on 7/19/02 , to be initiated by counsel for pltf. By noon on 7/22/02, pltf & deft shall deliver under seal, ex parte, separate settlement conference stmts which shall specify their respective settlement positions. Parties shall exchange offers & demands at least 3 working days prior to 7/24/02 conference. EOD 6/19/02 (cc: all counsel) (dlt) (Entered: 06/19/2002)
07/19/2002	90	MEMORANDUM ORDER by Judge John T. Nixon: For the reasons discussed in this order, deft's mtn for summary judgment [66-1] is denied. Court finds that there are genuine questions of material facts, & these claims are not appropriate for summary resolution. Court hereby declines to retain jurisdiction over the Tennessee Human Rights Act claim, & that claim is hereby dismissed. This case will proceed expeditiously to trial. EOD 7/19/02 (cc: all counsel) (dlt) Modified on 07/19/2002 (Entered: 07/19/2002)
07/23/2002	91	ORDER by Magistrate Judge Joe B. Brown: Settlement conference reset for 9:30 a.m. on 8/6/02 . Settlement conference stmts shall be due to Ms. Tina Smith, Courtroom Deputy to the Magistrate Judge Brown, by 12:00 noon on 8/2/02. EOD 7/23/02 (cc: all counsel) (dlt) (Entered: 07/23/2002)
07/25/2002	92	NOTICE of designated portions of testimony of Stephen T. Cox offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	93	NOTICE of designated portions of testimony of Henry Schmidt offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)

07/25/2002	94	NOTICE of designated portions of testimony of Cindy Bunnell offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	95	NOTICE of designated portions of testimony of Craig Cox offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	96	NOTICE of designated portions of testimony of Roberta Cox offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	97	NOTICE of designated portions of testimony of Beverly Ann Smith offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	98	NOTICE of designated portions of testimony of Steve Morgan offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	99	NOTICE of designated portions of testimony of Frank Marx offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
07/25/2002	100	NOTICE of designated portions of testimony of William J. Thompson offered into evidence by intevenor pltf Deena Blake. (dlt) (Entered: 07/25/2002)
08/08/2002	101	ORDER by Magistrate Judge Joe B. Brown: Settlement conference held on 8/6/02 . Clerk is directed to return the file to the District Judge for consideration of the consent decree once filed. Parties should file such consent decree by 8/23/02. EOD 8/8/02 (cc: all counsel) (dlt) (Entered: 08/08/2002)
08/23/2002	102	MOTION by pltf EEOC for extension of time to file the consent decree . (w/ att'd proposed order) (dlt) (Entered: 08/26/2002)
08/27/2002	103	ORDER by Magistrate Judge Joe B. Brown granting motion for extension of time to file the consent decree [102-1]. Ddl for filing the Consent Decree is extended until 8/30/02. EOD 8/27/02 (cc: all counsel) (dlt) (Entered: 08/27/2002)
08/30/2002	104	MOTION by pltf for extension of time until 9/6/02 w/in which to file the consent decree . (w/ att'd proposed order) (dlt) (Entered: 09/03/2002)
09/03/2002	105	ORDER by Magistrate Judge Joe B. Brown granting motion for extension of time until 9/6/02 w/in which to file the consent decree [104-1]. EOD 9/4/02 (cc: all counsel) (dlt) (Entered: 09/04/2002)
09/06/2002	106	MOTION by deft Steven T. Cox for extension of time until 9/13/02 w/in which to file the consent decree . (w/ att'd proposed order) (dlt) (Entered: 09/09/2002)
09/09/2002	107	ORDER by Judge John T. Nixon granting motion for extension of time until 9/13/02 w/in which to file the consent decree [106-1]. EOD 9/11/02 (cc: all counsel) (dlt) (Entered: 09/11/2002)
09/13/2002	108	MOTION by intevenor pltf Deena Blake to enforce settlement agreement (jb) (Entered: 09/16/2002)
09/17/2002		PROPOSED Consent Decree (dlt) (Entered: 09/18/2002)
10/02/2002	109	ORDER by Judge John T. Nixon: parties have agreed upon a Consent Decree which the Court approves. Consent Decree resolves all claims & issues. Terminating case . EOD 10/3/02 (cc: all counsel) (dlt) (Entered: 10/03/2002)

10/15/2002	110	MOTION by intevenor pltf Deena Blake to ascertain the status . (dlt) (Entered: 10/16/2002)
11/12/2002	111	ORDER by Judge John T. Nixon: The settlement in this case has been consummated. Pltf's motion to enforce settlement agreement [108-1] & pltf's motion to ascertain the status [110-1] are hereby declared moot. EOD 11/13/02 (cc: all counsel) (dlt) (Entered: 11/13/2002)

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