

49BC, CLOSED, JURY_TRIAL

U.S. District Court (Live Database)
U.S. District Court - Eastern District of Tennessee (Winchester)
CIVIL DOCKET FOR CASE #: 4:99-cv-00021

EEOC v. UPS, et al
Assigned to: Honorable James H Jarvis
Demand: \$0
Cause: 28:451 Employment Discrimination

Date Filed: 03/01/1999
Date Terminated: 07/30/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff**Equal Employment Opportunity
Commission**

represented by **Faye A Williams**
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Commission
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V.

Defendant**United Parcel Service, Inc.**

represented by **Jason D Fisher**
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Defendant

**- International Brotherhood of
Teamsters, Chauffeurs, Warehousemen
and Helpers**
Local Union No. 480

represented by **James G Stranch, III**
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**Interpleader (un/under insured
 motorist)**

Mark T TeVrucht

represented by **James H Henry, II**
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Date Filed	#	Docket Text
03/01/1999	1	COMPLAINT; jury demand, Magistrate Judge Phillips designated (JGM) (Entered: 03/03/1999)
03/26/1999	2	ATTORNEY APPEARANCE for defendant by William N Ozier, Michael S Moschel C/S (JGM) (Entered: 03/26/1999)
04/12/1999	3	MOTION by plaintiff/Intervenor for leave to intervene as party pltf C/S (order submitted) (JGM) Modified on 04/14/1999 (Entered: 04/14/1999)
04/12/1999	4	MEMORANDUM IN SUPPORT by plaintiff/intervenor of motion for leave to intervene as party pltf [3-1] C/S (JGM) Modified on 04/14/1999 (Entered: 04/14/1999)
04/19/1999	5	WAIVER OF SERVICE issued 3/26/99 upon defendant UPS accepted by William N. Ozier (JGM) (Entered: 04/19/1999)
04/19/1999	6	RESPONSE by plaintiff to motion to intervene as party pltf [3-1] C/S (JGM) (Entered: 04/19/1999)
04/28/1999	7	ORDER by Honorable James H. Jarvis granting Mark T. TeVrucht's motion for leave to intervene as party pltf [3-1] (cc: all counsel) (DCC) (Entered: 04/28/1999)

05/17/1999	8	ANSWER by defendant to complaint [1-1] C/S (JGM) (Entered: 05/18/1999)
05/18/1999		NOTICE of availability of magistrate judge mailed to all counsel (JGM) (Entered: 05/18/1999)
05/20/1999		NOTICE OF TRIAL before the Honorable Jame H. Jarvis Jury trial set for 9:00 5/24/00 (cc: all counsel) (ANB) (Entered: 05/20/1999)
06/03/1999	9	JOINT MOTION by all parties to temporarily stay proceedings w/order submitted C/S (JGM) Modified on 06/03/1999 (Entered: 06/03/1999)
06/07/1999	10	REPORT OF PARTIES' PLANNING MEETING (JGM) (Entered: 06/07/1999)
06/09/1999	11	ORDER by Honorable James H. Jarvis granting joint motion to temporarily stay proceedings [9-1] , CASE STAYED pending Supreme Court issues its ruling in pending cases which may materially affect the outcome or parameters of this case; the parties are directed to notify the court when the Supreme Court issues its ruling in these pending cases (cc: all counsel) (DCC) Modified on 06/10/1999 (Entered: 06/09/1999)
05/02/2000	12	NOTICE OF SUBSTITUTION OF COUNSEL by defendant UPS substituting Waverly D Crenshaw, Jason D Fisher of Waller Lansden Dortch & Davis in place of William N Ozier, Davidson French and Michael S Moschel of Bass Berry & Sims C/S (CHP) (Entered: 05/03/2000)
05/11/2000	13	JOINT MOTION to continue trial C/S (CHP) (Entered: 05/11/2000)
05/18/2000	14	ORDER by Honorable James H. Jarvis granting joint motion to continue trial [13-1] (cc: all counsel) (ANB) (Entered: 05/18/2000)
05/18/2000	15	REVISED SCHEDULING ORDER by Honorable James H. Jarvis ; Jury trial reset for 9:00 3/12/01 (cc: all counsel) (ANB) (Entered: 05/18/2000)
05/18/2000		NOTICE OF JURY TRIAL before the Honorable James H. Jarvis reset for 3/12/01 at 9:00 a.m. (cc: all counsel) (ANB) (Entered: 05/18/2000)
06/05/2000	16	MOTION by dft for atty Jason D Fisher to appear pro hac vice , w/certificate of good standing from M Dist of TN at Nashville C/S (application pending in our court) (Former Emp) (Entered: 06/06/2000)
06/13/2000		ORDER (GRANTED IN MARGIN) by Honorable James H. Jarvis granting dft UPS' motion for atty Jason D Fisher to appear pro hac vice [16-1] (cc: all counsel) (ADA) (Entered: 06/13/2000)
09/18/2000	17	ATTORNEY APPEARANCE for plaintiff by Lawrence R Kenyon II C/S (JGM) (Entered: 09/18/2000)
10/18/2000	18	MOTION by plaintiff for joinder of International Brotherhood of Teamsters as a party deft w/cmp attached C/S (JGM) (Entered: 10/19/2000)
10/18/2000	19	MEMORANDUM IN SUPPORT by plaintiff of motion for joinder of International Brotherhood of Teamsters as a party deft [18-1] C/S (JGM) (Entered: 10/19/2000)
10/30/2000	20	ORDER by Honorable James H. Jarvis; granting pla's motion for joinder of International Brotherhood of Teamsters as a deft [18-1] (cc: all counsel) (DJE) (Entered: 10/30/2000)

10/30/2000	21	AMENDED COMPLAINT [1-1] by plaintiff EEOC; adding - IBT; jury demand (DJE) (Entered: 10/30/2000)
11/01/2000	22	MOTION by defendant UPS to amend schedling order in response to pltf's Motion for Joinder C/S (JGM) (Entered: 11/06/2000)
11/01/2000	23	BRIEF by defendant UPS regarding Motion to Amend [22-1] C/S (JGM) (Entered: 11/06/2000)
11/01/2000	24	AFFIDAVIT of Jason D. Fisher re Motion to Compel [22-1] C/S (JGM) (Entered: 11/06/2000)
11/08/2000	25	RESPONSE by EEOC in opposition to motion to amend schedling order in response to pltf's Motion for Joinder [22-1] C/S (Former Emp) (Entered: 11/08/2000)
11/08/2000	26	MEMORANDUM IN SUPPORT by EEOC of response in opposition to deft's motion to amend scheduling order [25-1] C/S (Former Emp) (Entered: 11/08/2000)
11/09/2000		SUMMONS issued as to defendant - IBT and sent to US Marshals for Service (JGM) (Entered: 11/09/2000)
11/16/2000	27	ORDER by Honorable James H. Jarvis granting dft's motion to amend scheduling order in response to pltf's Motion for Joinder [22-1] and this action is contiuned from its present trial date ; Jury trial canceled 3/12/01 (cc: all counsel) (DCC) (Entered: 11/16/2000)
11/17/2000		NOTICE OF JURY TRIAL before Honorable James H. Jarvis ; Jury trial reset for 9:00 8/14/01 (cc: all counsel) (ANB) (Entered: 11/17/2000)
11/17/2000	28	REVISED SCHEDULING ORDER by Honorable James H. Jarvis ; Jury trial reset for 9:00 8/14/01 (cc: all counsel) (ANB) (Entered: 11/17/2000)
11/22/2000	29	RETURN OF SERVICE executed upon defendant IBT on 11/20/00 via cm w/ret recpt attach (DCC) (Entered: 11/24/2000)
02/26/2001	30	ANSWER by defendant - IBT to amended complaint [21-1] C/S (JGM) (Entered: 02/27/2001)
04/06/2001	31	AGREED PROTECTIVE ORDER by Honorable James H. Jarvis; more fully set out in this order (cc: all counsel) (DJE) (Entered: 04/06/2001)
05/11/2001	32	MOTION by defendant UPS for summary judgment C/S (JGM) (Entered: 05/14/2001)
05/11/2001	33	MEMORANDUM IN SUPPORT by defendant UPS of motion for summary judgment [32-1] C/S (JGM) (Entered: 05/14/2001)
05/11/2001	34	APPENDIX by defendant UPS re motion for summary judgment [32-1] C/S (JGM) (Entered: 05/14/2001)
05/15/2001	35	MOTION by defendant - IBT to dismiss or in the alternative for summary judgment ; w/ exhibit A attached C/S (DJE) (Entered: 05/17/2001)
05/15/2001	36	MEMORANDUM IN SUPPORT by defendant - IBT of their motion to dismiss [35-1] and of motion for summary judgment [35-2] C/S (DJE) (Entered: 05/17/2001)

		05/17/2001)
05/15/2001	37	MOTION by plaintiff, interpleader for leave to modify Rule 16(b) Scheduling Order C/S (JGM) Modified on 05/18/2001 (Entered: 05/18/2001)
05/15/2001	38	MEMORANDUM IN SUPPORT by plaintiff, interpleader of motion for leave to modify Rule 16(b) Scheduling Order [37-1] C/S (JGM) (Entered: 05/18/2001)
05/22/2001	40	RESPONSE by plaintiff, interpleader to [37-1] C/S (JGM) (Entered: 05/30/2001)
05/23/2001	39	ORDER by Honorable James H. Jarvis granting joint motion for leave to modify Rule 16(b) Scheduling Order [37-1]; the deadline for pla's expert witness disclosure is extended to 6/15/01 (cc: counsel) (DCC) (Entered: 05/23/2001)
05/24/2001	41	MOTION by plaintiff EEOC to extend time to respond to Motion for Summary Judgment up to and including 6/15/01 C/S (JGM) (Entered: 05/30/2001)
06/04/2001	42	RETURN OF SERVICE of subpoena by plaintiff EEOC of Wendell Norton on 5/29/01; via hand delivery; docs attached (DJE) (Entered: 06/04/2001)
06/04/2001	43	ORDER by Honorable James H. Jarvis; granting pla's motion to extend time to respond to Motion for Summary Judgment up to and including 6/15/01 [41-1] (cc: all counsel) (DJE) (Entered: 06/04/2001)
06/04/2001	44	MOTION by defendant UPS to extend time to file reply brief and... (JGM) (Entered: 06/06/2001)
06/04/2001	44	...MEMORANDUM IN SUPPORT by defendant UPS of motion to extend time to file reply brief [44-1] C/S (JGM) (Entered: 06/06/2001)
06/05/2001	45	RESPONSE by plaintiff EEOC to motion for summary judgment [35-2], to motion for summary judgment [32-1] C/S (JGM) (Entered: 06/06/2001)
06/05/2001	46	EXHIBITS (1-14 attched) by plaintiff EEOC re motion response [45-1]; Exhibit 2 is copy, will be submitting original C/S (JGM) (Entered: 06/06/2001)
06/05/2001	47	MEMORANDUM IN SUPPORT OF ITS OPPOSITION by plaintiff EEOC of motion response [45-1] C/S (JGM) (Entered: 06/06/2001)
06/05/2001	48	RESPONSE by interpleader Mark T TeVrucht to motion for summary judgment [35-2], to motion for summary judgment [32-1] C/S (JGM) (Entered: 06/08/2001)
06/05/2001	49	MEMORANDUM IN SUPPORT by interpleader Mark T TeVrucht of motion response [48-1] C/S (JGM) (Entered: 06/08/2001)
06/06/2001	50	RESPONSE by plaintiff to motion to dismiss [35-1], to motion for summary judgment [35-2] C/S (JGM) Modified on 06/08/2001 (Entered: 06/08/2001)
06/06/2001	51	MEMORANDUM IN SUPPORT by plaintiff of motion response [50-1] C/S (JGM) (Entered: 06/08/2001)
06/06/2001	52	EXHIBITS by plaintiff re motion response [50-1] w/attchs C/S (JGM) (Entered: 06/08/2001)
06/11/2001	53	AFFIDAVIT of Dr William J Sanders re [50-1] C/S (CHP) (Entered: 06/11/2001)
06/14/2001	54	ORDER by Honorable James H. Jarvis; granting deft's motion to extend time to file reply brief [44-1] (cc: all counsel) (DJE) (Entered: 06/14/2001)

06/14/2001	55	REPLY by defendant - IBT to pla's response to motion to dismiss [35-1] or in the alternative motion for summary judgment [35-2] C/S (DJE) (Entered: 06/15/2001)
06/15/2001	56	REPLY by plaintiff EEOC to response to motion for summary judgment [32-1] C/S (DJH) (Entered: 06/15/2001)
06/18/2001	57	MOTION by plaintiff EEOC to strike reply brief to pltf's response to Teamsters Local 480's Motion to dismiss and in the alternative for summary judgment C/S (JGM) (Entered: 06/19/2001)
06/21/2001	58	MOTION by plaintiff EEOC to strike UPS's reply brief to EEOC's Response to UPS's Motion for Summary Judgment C/S (JGM) (Entered: 06/22/2001)
06/25/2001	59	RESPONSE by defendant - IBT to pla's motion to strike reply brief to pltf's response to Teamsters Local 480's Motion to dismiss and in the alternative for summary judgment [57-1] C/S (DJE) (Entered: 06/25/2001)
06/26/2001	60	RESPONSE by defendant UPS to motion to strike UPS's reply brief to EEOC's Response to UPS's Motion for Summary Judgment [58-1] C/S (JGM) (Entered: 06/27/2001)
06/28/2001	61	RETURN OF SERVICE by plaintiff of deposition subpoena served on Dr. John Anderson by US Marshal Service on 4/6/01 (JGM) (Entered: 07/03/2001)
06/28/2001	62	RETURN OF SERVICE by plaintiff of deposition subpoena served on Wayne Scales, Business Manager, UPS, on 4/6/01 by US Marshal Service (JGM) (Entered: 07/03/2001)
06/28/2001	63	RETURN OF SERVICE UNEXECUTED by plaintiff of deposition subpoena served on Linda McConville, Occupational Health Manager on 3/28/01 by US Marshal Service (JGM) (Entered: 07/03/2001)
06/28/2001	64	RETURN OF SERVICE UNEXECUTED by plaintiff of deposition subpoena served on John Rooks on 3/28/01 by US Marshal Service (JGM) (Entered: 07/03/2001)
06/28/2001	65	RETURN OF SERVICE by plaintiff of deposition subpoena served on Rick Stone, Human Resource Manager, UPS, on 3/26/01 by US Marshal Service (JGM) (Entered: 07/03/2001)
07/12/2001	66	PRETRIAL DISCLOSURES by defendant UPS C/S (JGM) (Entered: 07/13/2001)
07/16/2001	67	PRETRIAL DISCLOSURES submitted by defendant - IBT C/S (DJE) (Entered: 07/16/2001)
07/25/2001		REMARK: file sent to Winchester w/ closing order (DJE) (Entered: 07/25/2001)
07/27/2001	70	WITNESS LIST submitted by plaintiff EEOC, interpleader Mark T TeVrucht C/S (JGM) (Entered: 08/03/2001)
07/30/2001	68	MEMORANDUM OPINION by Honorable James H. Jarvis (cc: all counsel) (JGM) (Entered: 07/30/2001)

07/30/2001	69	ORDER by Honorable James H. Jarvis granting motion for summary judgment [32-1], granting motion for summary judgment [35-2], granting motion to dismiss [35-1] dismissing case OB 30 Pg 44 (cc: all counsel) (JGM) (Entered: 07/30/2001)
07/30/2001	72	DESIGNATION OF PORTIONS OF LINDA MCCONVILLE DEPOSITION to be read a trial by plaintiff, interpleader C/S (JGM) (Entered: 08/03/2001)
07/30/2001	73	FINAL EXHIBIT LIST by plaintiff, interpleader C/S (JGM) (Entered: 08/03/2001)
07/30/2001	74	DESIGNATION OF PORTIONS OF SUSAN PELCHAT'S DEPOSITION to be read at trial by plaintiff, interpleader C/S (JGM) (Entered: 08/03/2001)
07/31/2001	71	DESIGNATION OF DEPOSITIONS by defendant UPS C/S (JGM) (Entered: 08/03/2001)
08/08/2001	75	RETURN OF SERVICE UNEXECUTED of subpoena served on Dr. John A. Anderson via US Marshals Service (JGM) (Entered: 08/16/2001)
08/08/2001	76	RETURN OF SERVICE UNEXECUTED of subpoena served on Wayne Scales via US Marshals Service (JGM) (Entered: 08/16/2001)
08/08/2001	77	RETURN OF SERVICE UNEXECUTED of subpoena served on Wendell Norton via US Marshals Service (JGM) (Entered: 08/16/2001)
08/08/2001	78	RETURN OF SERVICE UNEXECUTED of subpoena served on Dr. William J. Sanders via US Marshals Service (JGM) (Entered: 08/16/2001)
08/08/2001	79	RETURN OF SERVICE UNEXECUTED of subpoena served on Mark TeVrucht via US Marshals Service (JGM) (Entered: 08/16/2001)
08/28/2001	80	BILL OF COSTS submitted by defendant UPS ; Bill of costs ddl set for 9/27/01; letter sent (cc: all counsel) (JGM) (Entered: 08/31/2001)
09/26/2001	81	OBJECTIONS by plaintiff to Bill of Costs [80-1] C/S (JGM) (Entered: 10/02/2001)
10/11/2001		REMARK, file sent to Winchester to hold until it is requested for ruling on bill of cost (DJE) (Entered: 10/11/2001)
01/08/2003	82	FINDINGS OF THE CLERK; court reporter fees in the amt of \$1,300.60 are DISALLOWED - Court Reporter Fees in the amt of \$700.00 are ALLOWED; Copying costs in the amt of \$137.90 are DISALLOWED - copying costs in the amt of \$127.50 are ALLOWED; total cost in the amt of \$827.50 are taxed against pltf in favor of defts (all counsel) (JGM) (Entered: 01/13/2003)
02/05/2004	83	ORDER by Honorable James H. Jarvis finding the stay motion CASE STAYED pending Supreme Court issues its ruling in pending cases [11-2] DISSOLVED. (cc: all counsel) (JGM) (Entered: 02/05/2004)

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06/18/2007 14:09:17			
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