

BRYANT,CASE-CLOSED,PROTECTIVE-ORDER
U.S. District Court
Middle District of Tennessee (Nashville)
CIVIL DOCKET FOR CASE #: 3:06-cv-00593

Equal Employment Opportunity Commission v. Whirlpool Corporation
Assigned to: Senior Judge John T. Nixon
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/09/2006
Date Terminated: 12/21/2009
Jury Demand: Both
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
1407 Union Avenue
Suite 621
Memphis, TN 38104
(901) 544-0116
Email: deidre.smith@eeoc.gov
ATTORNEY TO BE NOTICED

Faye A. Williams
Equal Employment Opportunity Commission (Memphis Office)
1407 Union Avenue
Suite 900
Memphis, TN 38104
(901) 544-0088
Email: faye.williams@eeoc.gov
ATTORNEY TO BE NOTICED

Sally Ramsey
Constangy, Brooks, Smith, & Prophete, LLP (Nashville Office)
401 Commerce Street
Suite 1010
Nashville, TN 37219
(615) 320-5200
Fax: (615) 321-5891
Email: sramsey@constangy.com
ATTORNEY TO BE NOTICED

Steven W. Dills
Equal Employment Opportunity Commission
1407 Union Ave.
Suite 901
Memphis, TN 38104
901-544-0136
Fax: 901-544-0111
TERMINATED: 04/04/2011

V.

Defendant

Whirlpool Corporation

represented by **Adam Carl Wit**
Littler, Mendelson, P.C.
200 N LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520

Fax: (312) 372-7880
Email: awit@littler.com
ATTORNEY TO BE NOTICED

Asilia S. Backus
Littler, Mendelson, P.C. (Chicago)
321 N Clark Street
Suite 1000
Chicago, IL 60654
(312) 372-5520
Fax: (312) 372-7880
Email: abackus@seyfarth.com
ATTORNEY TO BE NOTICED

David Christlieb
Littler, Mendelson, P.C. (Chicago)
321 N Clark Street
Suite 1000
Chicago, IL 60654
(312) 372-5520
Fax: (312) 372-7880
Email: dchristlieb@littler.com
ATTORNEY TO BE NOTICED

Keith C. Hult
Littler, Mendelson, P.C.
200 N LaSalle Street
Suite 2900
Chicago, IL 60601
(312) 372-5520
Email: khult@littler.com
ATTORNEY TO BE NOTICED

Timothy K. Garrett
Bass, Berry & Sims (Nashville Office)
150 Third Avenue South
Suite 2800
Nashville, TN 37201
(615) 742-6200
Email: tgarrett@bassberry.com
ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff

Carlota Freeman

represented by **Andy L. Allman**
131 Saundersville Road
Suite 110
Nashville, TN 37075
(615) 933-0110
Fax: (615) 265-8766
Email: andylallman@comcast.net
ATTORNEY TO BE NOTICED

Helen Sfikas Rogers
Rogers, Kamm & Shea
2205 State Street
Nashville, TN 37203
(615) 320-0600
Fax: (615) 320-9933
Email: helen37203@aol.com
ATTORNEY TO BE NOTICED

Martin D. Holmes

Dickinson Wright PLLC (Nashville Office)
 424 Church Street
 Suite 1401
 Nashville, TN 37219-2392
 (615) 244-6538
 Email: mdholmes@dickinsonwright.com
 TERMINATED: 01/27/2009

Siew-Ling Shea
 Rogers, Kamm & Shea
 2205 State Street
 Nashville, TN 37203
 (615) 320-0600
 Fax: (615) 320-9933
 Email: siewlingshea@yahoo.com
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/09/2006	<u>1</u>	COMPLAINT against Whirlpool Corporation (Filing fee \$350), filed by Equal Employment Opportunity Commission.(eh) (Entered: 06/12/2006)
06/09/2006	<u>2</u>	NOTICE of Initial Case Management Conference set for Monday 7/24/2006 at 09:00 AM in Courtroom 764 before Magistrate Judge Juliet Griffin. (eh) (Entered: 06/12/2006)
07/05/2006	<u>3</u>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Whirlpool Corporation waiver sent on 6/27/2006, answer due 8/28/2006. (Ramsey, Sally) Modified Text on 7/5/06 (jb). (Entered: 07/05/2006)
07/19/2006	<u>4</u>	MOTION to Continue by Equal Employment Opportunity Commission. Responses due by 8/7/2006 (Attachments: # <u>1</u> Proposed Order Proposed Order Granting Motion)(Ramsey, Sally) (Entered: 07/19/2006)
07/20/2006	<u>5</u>	ORDER granting <u>4</u> Motion to Continue Initial Case Management Conference. Case Management Conference reset for 8/10/2006 at 02:00 PM in Courtroom 764 before Magistrate Judge Juliet Griffin. The stay of discovery is lifted. Signed by Judge Juliet Griffin on 7/20/06. (gi,) (Entered: 07/20/2006)
07/21/2006	<u>6</u>	MOTION to Intervene <i>in Action Filed by the Equal Employment Opportunity Commission</i> by Carlota Freeman. Responses due by 8/7/2006 (Rogers, Helen) (Entered: 07/21/2006)
07/21/2006	<u>7</u>	MEMORANDUM in Support of <u>6</u> MOTION to Intervene <i>in Action Filed by the Equal Employment Opportunity Commission</i> filed by Carlota Freeman. (Rogers, Helen) (Entered: 07/21/2006)
07/24/2006	<u>8</u>	ORDER granting <u>6</u> Motion to Intervene. Clerk is directed to docket the intervening complaint. Signed by Judge Juliet Griffin on 7/24/06. (gi,) (Entered: 07/24/2006)
07/24/2006	<u>9</u>	Intervenor COMPLAINT filed by Carlota Freeman.(gi,) (Entered: 07/24/2006)
08/07/2006	<u>10</u>	MOTION for attorney Adam C. Wit to Appear Pro Hac Vice by Whirlpool Corporation. (PHV Fee Paid)Responses due by 8/24/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Garrett, Timothy) Modified on 8/11/2006 (gi,). (Entered: 08/07/2006)
08/07/2006	<u>11</u>	MOTION for attorney Asilia Backus to Appear Pro Hac Vice by Whirlpool Corporation. (PHV Fee Paid)Responses due by 8/24/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Garrett, Timothy) Modified on 8/11/2006 (gi,). (Entered: 08/07/2006)
08/07/2006	<u>12</u>	MOTION for attorney Keith Hult to Appear Pro Hac Vice by Whirlpool Corporation. (PHV Fee Paid) Responses due by 8/24/2006 (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Garrett, Timothy) Modified on 8/11/2006 (gi,). (Entered: 08/07/2006)

08/07/2006	<u>13</u>	ANSWER to Complaint with Jury Demand by Whirlpool Corporation.(Garrett, Timothy) (Entered: 08/07/2006)
08/07/2006	<u>14</u>	PROPOSED CASE MANAGEMENT ORDER filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 08/07/2006)
08/07/2006	<u>15</u>	CORPORATE DISCLOSURE STATEMENT filed by Whirlpool Corporation. (Garrett, Timothy) (Entered: 08/07/2006)
08/08/2006		Note to Filer re DE #10 & #11: The Certificates of Good Standing should be filed as separate documents rather than as attachments. The "Certificate of Good Standing" event is found under the category "Other Documents". It is not necessary to refile the certificates. (gi,) (Entered: 08/08/2006)
08/10/2006		Minute Entry for proceedings held before Judge Juliet Griffin : Initial Case Management Conference held on 8/10/2006. (Tape #G2006-098.) (jwc,) (Entered: 08/17/2006)
08/11/2006	<u>16</u>	RECEIPT #111101 in the amount of \$75.00 re <u>10</u> Motion for Attorney Adam Wit to Appear Pro Hac Vice. (gi,) (Entered: 08/11/2006)
08/11/2006	<u>17</u>	RECEIPT #111102 in the amount of \$75.00 re <u>11</u> Motion for Atty Asilia Backus to Appear Pro Hac Vice. (gi,) (Entered: 08/11/2006)
08/11/2006	<u>18</u>	RECEIPT #111103 in the amount of \$75.00 re <u>12</u> Motion for Atty Keith Hult to Appear Pro Hac Vice. (gi,) (Entered: 08/11/2006)
08/14/2006	<u>19</u>	ORDER granting <u>10</u> <u>11</u> <u>12</u> Motions for Adam C. Wit, Asilia Backus andKeith Hult to Appear Pro Hac Vice. Signed by Judge Juliet Griffin on 8/14/06. (gi,) (Entered: 08/15/2006)
08/16/2006	<u>20</u>	CASE MANAGEMENT ORDER: Motions to amend the pleadings to be filed by 11/13/2006. Fact discovery to be completed by 4/2/2007. Dispositive motions to be filed by 6/1/2007, responses by 7/2/07 and replies by 7/16/07. Signed by Judge Juliet Griffin on 8/16/06. (gi,) (Entered: 08/16/2006)
08/16/2006	<u>21</u>	ORDER:The Court has approved and entered the parties' proposed case management order. Jury Trial set for 10/16/2007 at 09:00 AM in Courtroom 774 before Senior Judge John T. Nixon. Final Pretrial Conference set for 10/5/2007 at 10:00 AM before Senior Judge John T. Nixon. Proposed Pretrial Order due by 9/28/2007. Signed by Judge Juliet Griffin on 8/16/06. (gi,) (Entered: 08/16/2006)
08/16/2006	<u>22</u>	ORDER: Case reassigned to Magistrate Judge John S. Bryant pursuant to AO No. 138-4. Case remains assigned to Judge Nixon. Signed by Judge Juliet Griffin on 8/16/06. (gi,) (Entered: 08/16/2006)
08/24/2006	<u>23</u>	ANSWER to Intervenor Complaint <i>and Affirmative Defenses</i> by Whirlpool Corporation.(Backus, Asilia) (Entered: 08/24/2006)
11/08/2006	<u>24</u>	MOTION to Amend/Correct <i>Scheduling Order</i> by Carlota Freeman. (Rogers, Helen) (Entered: 11/08/2006)
11/09/2006		Note to Filer re DE #24: Each exhibit should be filed as a separate attachment to the main document and the mandatory description field used. It is not necessary to re-file these documents. (gi,) (Entered: 11/09/2006)
11/13/2006	<u>25</u>	ORDER granting <u>24</u> Motion to Extend <i>Scheduling Order Deadline</i> . <i>Ddl for filing mtns to amend the pleadings is extended to 12/15/2006. Signed by Judge John S. Bryant on 11/13/06.</i> (gi,) (Entered: 11/13/2006)
11/13/2006	<u>26</u>	RESPONSE to Motion re <u>24</u> MOTION to Amend/Correct <i>Scheduling Order</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1-Correspondence to Helen Rogers# <u>2</u> Exhibit 2-Correspondence from Helen Rogers# <u>3</u> Exhibit 3-Correspondence from Helen Rogers# <u>4</u> Exhibit 4-Correspondence to Helen Rogers# <u>5</u> Exhibit 5-Correspondence from Helen Rogers)(Backus, Asilia) (Entered: 11/13/2006)
12/14/2006	<u>27</u>	MOTION for Extension of Time to Complete Discovery by Carlota Freeman. (Attachments: # <u>1</u> Exhibit A - Order to Extend Scheduling Deadline# <u>2</u> Exhibit B - Backus Letter to Rogers 11-27-06# <u>3</u> Exhibit C - Response to RPD Pages 1 -15# <u>4</u>

		Exhibit C – Response to RPD Pages 16 – 31# <u>5</u> Exhibit C – Response to RPD Pages 32–45# <u>6</u> Exhibit C – Response to RPD Pages 46 – 62# <u>7</u> Exhibit C – Response to RPD Pages 63–79# <u>8</u> Exhibit C – Response to RPD Pages 80 – 97# <u>9</u> Exhibit C – Response to RPD Pages 98 – 105# <u>10</u> Exhibit C – Response to RPD Pages 106 – 119# <u>11</u> Exhibit C – Response to RPD Pages 120 – 135# <u>12</u> Exhibit C – Response to RPD Pages 136 – 149# <u>13</u> Exhibit D – Answers to Interrogatories# <u>14</u> Exhibit E – Backus Letter to Dills and Rogers 11–27–06)(Rogers, Helen) (Entered: 12/14/2006)
12/18/2006	<u>28</u>	RESPONSE in Opposition re <u>27</u> MOTION for Extension of Time to Complete Discovery and Extend Scheduling Order Deadline filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Correspondence# <u>2</u> Exhibit 2–Correspondence# <u>3</u> Exhibit 3–Correspondence)(Backus, Asilia) (Entered: 12/18/2006)
01/24/2007	<u>29</u>	First MOTION to Compel Discovery and for Sanctions by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Defendants Answers and Objections to Intervening Plaintiffs First Set of Interrogatories# <u>2</u> Exhibit Defendants Responses and Objections to Intervening Plaintiffs First Request for Production of Documents# <u>3</u> Exhibit Collective Exhibit C; Two Letters; dated November 1 and 6, 2006# <u>4</u> Exhibit Courts Order of December 15, 2006# <u>5</u> Exhibit Letter of November 27, 2006# <u>6</u> Exhibit Carlota Freeman's Whirlpool Records# <u>7</u> Exhibit Letter dated December 7, 2006# <u>8</u> Exhibit Joint Written Statement Pursuant to Local Rule 37.01# <u>9</u> Exhibit Letter dated December 7, 2006 to Helen S. Rogers from Littler Mendelson# <u>10</u> Exhibit Defendants First Supplemental Answers and Objections to Intervening Plaintiffs First Set of Interrogatories# <u>11</u> Exhibit Defendants First Supplemental Responses and Objections to Intervening Plaintiffs First Request for Production of Documents)(Rogers, Helen) (Entered: 01/24/2007)
02/08/2007	<u>30</u>	NOTICE by Whirlpool Corporation re <u>29</u> First MOTION to Compel Discovery and for Sanctions (Garrett, Timothy) (Entered: 02/08/2007)
02/09/2007	<u>31</u>	MOTION to Continue by Carlota Freeman. (Attachments: # <u>1</u> Proposed Order Agreed Order)(Rogers, Helen) (Entered: 02/09/2007)
02/14/2007	<u>32</u>	ORDER granting <u>31</u> motion to hold in abeyance motion to compel discovery and for sanctions <u>29</u> for 30 days. Signed by Judge John S. Bryant on 2/14/07. (gi,) (Entered: 02/14/2007)
03/02/2007	<u>33</u>	MOTION for Extension of Time to Complete Discovery Deadline and Corresponding Deadlines Including Dispositive Motion Deadline and Trial Date by Whirlpool Corporation. (Backus, Asilia) (Entered: 03/02/2007)
03/02/2007	<u>34</u>	MOTION for Protective Order Agreed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1)(Backus, Asilia) (Entered: 03/02/2007)
03/13/2007	<u>35</u>	ORDER granting <u>34</u> Motion for Protective Order. Signed by Judge John S. Bryant on 3/13/07. (gi,) (Entered: 03/13/2007)
03/13/2007	<u>36</u>	AGREED PROTECTIVE ORDER. Signed by Judge John S. Bryant on 3/13/07. (gi,) (Entered: 03/13/2007)
03/15/2007	<u>37</u>	ORDER granting <u>33</u> Motion for Extension of Time to Complete Discovery Deadline and Corresponding Deadlines Including Dispositive Motion Deadline and Trial Date. Pretrial Conference reset for 2/8/2008 at 10:00 AM before Senior Judge John T. Nixon. Jury Trial reset for 2/19/2008 at 09:00 AM in Courtroom 774 before Senior Judge John T. Nixon. Written discovery to be completed by 6/1/2007. Dispositive motions to be filed by 7/31/2007. Signed by Judge John S. Bryant on 3/15/07. (gi,) (Entered: 03/15/2007)
03/15/2007	<u>38</u>	ORDER denying as moot <u>27</u> Motion to Extend Scheduling Order Deadline in view of order <u>37</u> . Signed by Judge John S. Bryant on 3/15/07. (gi,) (Entered: 03/15/2007)
04/02/2007		Minute Entry for proceedings held before Magistrate Judge Bryant: Telephone conference held on 4/2/2007 re discovery. Order to enter. (tm) (Entered: 04/02/2007)
04/03/2007	<u>39</u>	ORDER: Telephone conference held 4/2/07. Certain pretrial ddls are extended. Fact discovery & expert witness discovery due by 8/31/2007. Dispositive motions due by 10/1/2007, responses by 11/1/07 and replies by 11/15/07. Signed by Judge John S. Bryant on 4/3/07. (gi,) (Entered: 04/03/2007)

07/13/2007	<u>40</u>	SUBPOENA FOR DEPOSITION issued to Kim Wheeler and returned executed on 7/11/07 by Equal Employment Opportunity Commission. (gi,) (Entered: 07/16/2007)
07/13/2007	<u>41</u>	SUBPOENA FOR DEPOSITION issued to Charles Fisher and returned unexecuted by Equal Employment Opportunity Commission. (gi,) (Entered: 07/16/2007)
08/07/2007	<u>42</u>	SUBPOENA issued to Charles Fisher and returned executed on 8/5/07 as to Charles Fisher by Equal Employment Opportunity Commission, Carlota Freeman (jb) (Entered: 08/07/2007)
08/29/2007	<u>43</u>	ORDER denying <u>29</u> Pltf's Motion to Compel without prejudice to her filing a similar motion if discovery issues persist. Signed by Judge John S. Bryant on 8/28/07. (jb) Modified on 8/30/07 (jb). (Entered: 08/30/2007)
08/30/2007		Emailed a copy of <u>43</u> Order to all counsel. (jb) (Entered: 08/30/2007)
08/30/2007	<u>44</u>	MOTION to allow an additional 45 days to disclose an economic expert and his/her opinion by Carlota Freeman. (Attachment: (1) Exhibit Deposition Page 50 of Stephen Montgomery, M.D.)(Rogers, Helen) Modified Text on 8/31/07 (jb). (Entered: 08/30/2007)
08/31/2007		Note to Filer re DE #44--This document has been scanned. Scanning should be used only for documents that are not created on your computer. This document does not need to be re--filed unless otherwise directed by the Court. (jb) (Entered: 08/31/2007)
08/31/2007	<u>45</u>	AMENDED Rule 26(a)(1) Initial Disclosures by Carlota Freeman. (Rogers, Helen) (SEE DOCKET ANNOTATION MADE 9/4/07.) Modified Text on 9/4/07 (jb). (Entered: 08/31/2007)
09/04/2007		Note to Filer re DE #45--Pursuant to Rule 5(d) of the Federal Rules of Civil Procedure, disclosures under Rule 26(a)(1) or (2) must not be filed until they are used in the proceeding or the court orders filing. (jb) (Entered: 09/04/2007)
09/11/2007	<u>46</u>	RESPONSE in Opposition to <u>44</u> MOTION to Modify the Court's Scheduling Order filed by Whirlpool Corporation. (Attachment: (1) Exhibit 1--Stephen A. Montgomery, M.D. Deposition Transcript Pages)(Backus, Asilia) Modified Text on 9/11/07 (jb). (Entered: 09/11/2007)
09/11/2007	<u>47</u>	RESPONSE to <u>44</u> MOTION to Modify the Court's Scheduling Order filed by Equal Employment Opportunity Commission. (Dills, Steven) Modified Text on 9/12/07 (jb). (Entered: 09/11/2007)
09/20/2007	<u>48</u>	NOTICE of Appearance by Siew--Ling Shea on behalf of Carlota Freeman (Shea, Siew--Ling) (Entered: 09/20/2007)
09/20/2007	<u>49</u>	MOTION in Limine <i>With Exhibits</i> by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Notice of Subpoenaed Deposition# <u>2</u> Exhibit Defendants Amended Rule 26 Initial Disclosures# <u>3</u> Exhibit Declaration of Catina Renea Bolden# <u>4</u> Exhibit Catina Renea Bolden's Prior Statement)(Rogers, Helen) (Entered: 09/20/2007)
09/20/2007	<u>50</u>	MEMORANDUM in Support of <u>49</u> MOTION in Limine <i>With Exhibits</i> filed by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Notice of Subpoenaed Deposition# <u>2</u> Exhibit Defendants Amended Rule 26 Initial Disclosure# <u>3</u> Exhibit Declaration of Catina Renea Bolden# <u>4</u> Exhibit Catina Bolden's Prior Statement)(Rogers, Helen) (Entered: 09/20/2007)
09/20/2007		Note to Filer re DE Nos. 48--50 --These documents have been scanned. Scanning should be used only for documents that are not created on your computer. Signed declarations should be filed as separate events, not as attachments to other pleadings. These documents do not need to be re--filed unless otherwise directed by the Court.(jb) (Entered: 09/20/2007)
09/21/2007	<u>51</u>	First MOTION to Take Deposition from Karen L. Carey by Carlota Freeman. (Attachments: # <u>1</u> Proposed Order Agreed Order Rescheduling Deposition)(Rogers, Helen) (Entered: 09/21/2007)
10/01/2007	<u>52</u>	AGREED ORDER granting <u>51</u> Motion to Take Deposition from Karen L. Carey. The deposition of Karen L. Carey of Liberty Mutual Group--Indianapolis Division, shall be rescheduled to take place by telephone on 9/26/07 at 8:00 a.m., central standard time

		zone, at the law offices of Newton Becker Bouwkamp Pendoski, PC, Indianapolis, Indiana. Signed by Judge John S. Bryant on 10/1/07. (jb) (Entered: 10/01/2007)
10/03/2007	<u>53</u>	RESPONSE in Opposition re <u>49</u> MOTION in Limine <i>With Exhibits</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Sessoms v. Ghertner)(Backus, Asilia) (Entered: 10/03/2007)
10/25/2007	<u>54</u>	MEMORANDUM of Law in support of and filing of supplement to <u>44</u> MOTION to modify the court's scheduling order to disclose economic expert and his opinion report filed by Carlota Freeman. (w/attachments) (Rogers, Helen) Modified Text on 10/29/07 (jb). (Entered: 10/25/2007)
10/29/2007		Note to Filer re DE #54–This document has been scanned. Scanning should be used only for documents that are not created on your computer. Each exhibit should be filed as a separate attachment to the main document and the mandatory description field used. The mandatory description field should be used to accurately describe the contents of your attachment (labeling as Exhibit A, B C or Exhibit 1, 2, 3 is not sufficient). This document does not need to be re–filed unless otherwise directed by the Court. (jb) (Entered: 10/29/2007)
11/06/2007	<u>55</u>	MOTION to Strike <i>Intervening Plaintiff's "Amended" Rule 26(a)(2) Disclosures</i> by Whirlpool Corporation. (Backus, Asilia) (Entered: 11/06/2007)
11/06/2007	<u>56</u>	MEMORANDUM in Support of <u>55</u> MOTION to Strike <i>Intervening Plaintiff's "Amended" Rule 26(a)(2) Disclosures</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Intervening Plaintiff's Amended Rule 26(a)(2) Expert Disclosures# <u>2</u> Exhibit 2–March 14, 2007 Letter# <u>3</u> Exhibit 3–March 19, 2007 Letter# <u>4</u> Exhibit 4–March 22, 2007 Letter# <u>5</u> Exhibit 5–Case)(Backus, Asilia) (Entered: 11/06/2007)
11/08/2007	<u>57</u>	RESPONSE in Opposition to <u>44</u> Intervening Plaintiff's Supplement to Her Motion to Modify the Court's Scheduling Order filed by Whirlpool Corporation. (Attachments: (1) Exhibit 1–Deposition Transcript Pages (2) Exhibit 2–Deposition Transcript Pages (3) Exhibit 3–Cases)(Backus, Asilia) Modified Text on 11/8/07 (jb). (Entered: 11/08/2007)
11/14/2007	<u>58</u>	RESPONSE in Opposition re <u>55</u> MOTION to Strike <i>Intervening Plaintiff's "Amended" Rule 26(a)(2) Disclosures</i> filed by Carlota Freeman. (Attachments: (1) Exhibit 1–Excerpt from Dr. Stephen Montgomery's Deposition)(Rogers, Helen) Modified Text on 11/15/07 (jb). (Entered: 11/14/2007)
11/15/2007		Note to Filer re DE #58–This document has been scanned. Scanning should be used only for documents that are not created on your computer. This document does not need to be re–filed unless otherwise directed by the Court. (jb) (Entered: 11/15/2007)
11/21/2007	<u>59</u>	MOTION for Leave to File Reply Brief in Support of Motion to Strike Intervening Plaintiff's Amended Rule 26(a)(2) Disclosures by Whirlpool Corporation. (Garrett, Timothy) (Entered: 11/21/2007)
11/27/2007	<u>60</u>	ORDER granting <u>59</u> Motion for Leave to File a Reply Brief in support of its Motion to Strike Intervening Plaintiff's "Amended" Rule 26(a)(2) Disclosures. Signed by Judge John S. Bryant on 11/27/07. (jb) (Entered: 11/27/2007)
11/30/2007	<u>61</u>	REPLY to Response to Motion re <u>55</u> MOTION to Strike <i>Intervening Plaintiff's "Amended" Rule 26(a)(2) Disclosures</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Case)(Backus, Asilia) (Entered: 11/30/2007)
12/21/2007	<u>62</u>	ORDER: For the reasons stated below, plaintiff's Motion for Additional Time <u>44</u> is Granted, and defendant's MOTION to Strike <u>55</u> is Denied. Inasmuch as the trial of this case is to be postponed and rescheduled. The following revised deadlines shall govern the progression of this case: Discovery due by 4/15/2008. Dispositive Motions due by 5/1/2008. Signed by Judge John S. Bryant on 12/21/07. (cc: Freeman by cert. & reg. mail)(dt) Modified Text on 12/21/2007 (dt). (Entered: 12/21/2007)
12/27/2007	<u>63</u>	Green card to Carlota Freeman, returned on 12/27/07 as to DE No. 62, signed by S. Armor on 12/26/07. (jb) (Entered: 12/27/2007)
01/09/2008	<u>64</u>	ORDER: Judge Nixon's Courtroom Deputy has advised the Magistrate Judge's office that this case is set for a Jury Trial on 9/9/08 at 9:00 a.m. with a Final Pretrial

		Conference on 8/29/08 at 10:00 AM. The parties should contact Judge Nixon's Chambers regarding Judge Nixon's requirements for both the trial and final pretrial conference. Signed by Judge John S. Bryant on 1/9/08. (jb) (Entered: 01/09/2008)
01/14/2008	<u>65</u>	MOTION to Continue by Carlota Freeman. (Attachments: # <u>1</u> Exhibit 1–Order to Set)(Rogers, Helen) (Entered: 01/14/2008)
01/16/2008	<u>66</u>	NOTICE of Appearance by Deidre Smith on behalf of Equal Employment Opportunity Commission (Smith, Deidre) (Entered: 01/16/2008)
01/25/2008	<u>67</u>	ORDER granting <u>65</u> MOTION to Continue Trial. Jury Trial is reset for 2/24/2009 at 09:00 AM before Senior Judge John T. Nixon. Signed by Judge John T. Nixon on 1/25/08. (dt) (Entered: 01/25/2008)
02/27/2008	<u>68</u>	MOTION to Extend the Deadline to Disclose Experts and Serve Expert Reports Pursuant to Rule 26(a)(2) by Whirlpool Corporation. (Backus, Asilia) Modified Text on 2/28/08 (jb). (Entered: 02/27/2008)
02/29/2008	<u>69</u>	RESPONSE in Opposition re <u>68</u> MOTION to Extend the Deadline to Disclose Experts and Serve Expert Reports Pursuant to Rule 26(a)(2) filed by Carlota Freeman. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Rogers, Helen) (Entered: 02/29/2008)
02/29/2008		Note to Filer re DE #69–The mandatory description field, for each exhibit filed, should be used to accurately describe the contents of your attachment (labeling as Exhibit A, B C or Exhibit 1, 2, 3 is not sufficient). This document has been scanned. Scanning should be used only for documents that are not created on your computer. This document does not need to be re–filed unless otherwise directed by the Court. (jb) (Entered: 02/29/2008)
03/03/2008	<u>70</u>	(DISREGARD THIS ENTRY–ATTY TO REFILE) MOTION for Discovery <i>Limiting Further Expert Discovery</i> by Carlota Freeman. (Attachments: # <u>1</u> Exhibit A – Letter from Whirlpool dated 2–26–08)(Rogers, Helen) Modified on 3/4/2008 (jb). (Entered: 03/03/2008)
03/03/2008	<u>71</u>	(DISREGARD THIS ENTRY–ATTY TO REFILE) MEMORANDUM in Support of <u>70</u> MOTION for Discovery <i>Limiting Further Expert Discovery</i> filed by Carlota Freeman. (Rogers, Helen) Modified on 3/4/2008 (jb). (Entered: 03/03/2008)
03/04/2008	<u>72</u>	First MOTION To Limit Further Expert Disclosure by Carlota Freeman. (Attachment: # <u>1</u> Exhibit Backus Letter of 02–25–08)(Rogers, Helen) Modified Text on 3/5/08 (jb). (Entered: 03/04/2008)
03/04/2008	<u>73</u>	MEMORANDUM OF LAW in Support of <u>72</u> First MOTION To Limit Further Expert Disclosure filed by Carlota Freeman. (Rogers, Helen) Modified Text on 3/5/08 (jb). (Entered: 03/04/2008)
03/05/2008	<u>74</u>	MOTION for Leave to file a reply brief in support of <u>68</u> motion to extend the deadline to disclose experts and serve expert reports pursuant to Rule 26(a)(2) by Whirlpool Corporation. (Backus, Asilia) Modified Text on 3/5/08 (jb). (Entered: 03/05/2008)
03/13/2008	<u>75</u>	RESPONSE in Opposition re <u>72</u> First MOTION To Limit Further Expert Disclosure filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit A–Letter dated March 22, 2007# <u>2</u> Exhibit B–Letter dated December 12, 2007# <u>3</u> Exhibit C–Cases)(Backus, Asilia) (Entered: 03/13/2008)
04/14/2008	<u>76</u>	MOTION for Extension of Time to Complete Discovery by Whirlpool Corporation. (Backus, Asilia) (Entered: 04/14/2008)
04/18/2008	<u>77</u>	RESPONSE in Opposition re <u>76</u> MOTION for Extension of Time to Complete Discovery filed by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Deposition of Pam Auble, *Exhibit re–filed, see DE <u>78</u> *; # <u>2</u> Exhibit Deposition of Karen Carey)(Rogers, Helen) Modified on 4/24/2008 (gi). (Entered: 04/18/2008)
04/21/2008		Note to Filer re DE# 77 : All documents should be filed so that they may be read without the necessity of rotation. The Deposition of Pam Auble (Exhibit #1) needs to be re–filed. (ab) (Entered: 04/21/2008)
04/23/2008	<u>78</u>	Additional Attachments to Main Document re: <u>77</u> Response in Opposition to Motion. (Rogers, Helen) (Entered: 04/23/2008)

04/24/2008	<u>79</u>	ORDER granting <u>68</u> Motion for Extension of Time to Complete Discovery to the extent stated in this order; denying <u>72</u> Motion to Limit Further Expert Discovery; denying as moot <u>74</u> Motion for Leave to File Reply Brief; granting <u>76</u> Motion to Extend Discovery to the extent stated in this order. All discovery shall be completed by 9/30/08. Dispositive mtns to be filed by 10/14/08, responses to be filed by 11/11/08 and replies by 11/25/08. Signed by Magistrate Judge John S. Bryant on 4/24/08. (gi) (Entered: 04/24/2008)
05/21/2008	<u>80</u>	*DISREGARD ENTRY; ATTY TO RE-FILE* MOTION New Pretrial Conference Date by Carlota Freeman. (Rogers, Helen) Modified on 5/21/2008 (gi). (Entered: 05/21/2008)
05/21/2008	<u>81</u>	MOTION For New Pretrial Conference Date by Carlota Freeman. (Rogers, Helen) (Entered: 05/21/2008)
05/23/2008	<u>82</u>	ORDER granting <u>81</u> MOTION For New Pretrial Conference Date filed by Carlota Freeman. Pretrial Conference reset for 2/13/2009 10:00 AM before Senior Judge John T. Nixon. Signed by Senior Judge John T. Nixon on 5/23/08. (km) (Entered: 05/23/2008)
08/11/2008	<u>83</u>	NOTICE of Appearance by Martin D. Holmes on behalf of Carlota Freeman (Holmes, Martin) (Entered: 08/11/2008)
08/21/2008	<u>84</u>	MOTION for attorney David L. Christlieb (PHV FEE PAID) to Appear Pro Hac Vice by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit Christlieb Certificate of Good Standing)(Garrett, Timothy) Modified text on 9/10/2008 (tmw). (Entered: 08/21/2008)
09/10/2008	<u>85</u>	RECEIPT #34675004078 in the amount of \$75, PHV fee for Atty Christlieb, posted by Whirlpool Corporation re <u>84</u> Motion to Appear Pro Hac Vice. (tmw) (Entered: 09/10/2008)
09/12/2008	<u>86</u>	ORDER granting <u>84</u> Motion for Atty David L. Christlieb to Appear Pro Hac Vice. Signed by Magistrate Judge John S. Bryant on 9/12/08. (tmw) (Entered: 09/12/2008)
01/09/2009	<u>87</u>	ORDER: This matter is set for a jury trial on 2/24/09, at 9:00 a.m. The Pretrial Conference is set on 2/13/09, at 10:00 a.m. Counsel for the parties shall confer and attempt to prepare a new pretrial order to be submitted to the Court on or before noon on 2/12/09. Signed by Senior Judge John T. Nixon on 1/9/09. (tmw) (Entered: 01/09/2009)
01/13/2009	<u>88</u>	ORDER: The Magistrate Judge certifies this matter ready for trial, and the Clerk is directed to forward the file to the District Judge. Unless otherwise directed by the District Judge, there appear to be no further proceedings to be conducted before the Magistrate Judge. Signed by Magistrate Judge John S. Bryant on 01/12/09. (ab) (Entered: 01/13/2009)
01/19/2009	<u>89</u>	MOTION to Withdraw as Attorney by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Letter to Plaintiff from Mr. Holmes)(Holmes, Martin) (Entered: 01/19/2009)
01/20/2009	<u>90</u>	MOTION Excuse Plaintiff from Trial by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Affidavit of Stephen Montgomery "A", # <u>2</u> Exhibit Affidavit of Harry Steuber "B", # <u>3</u> Exhibit Deposition of Carlota Freeman "C")(Rogers, Helen) (Entered: 01/20/2009)
01/22/2009		Note to filer re <u>90</u> : A Memorandum in support of a motion should be filed as a separate entry, not as part of the main document or as an attachment to the main document. Affidavits/declarations should also be filed as separate entries. It is not necessary to re-file these documents unless otherwise directed by the Court. (tmw) (Entered: 01/22/2009)
01/27/2009	<u>91</u>	ORDER granting <u>89</u> Motion to Withdraw as Attorney. Attorney Martin D. Holmes terminated. Signed by Senior Judge John T. Nixon on 1/27/09. (tmw) (Entered: 01/27/2009)
01/30/2009	<u>92</u>	MOTION for Leave to File Document Under Seal by Whirlpool Corporation. (Attachments: # <u>1</u> Proposed Order)(Backus, Asilia) (Entered: 01/30/2009)
01/30/2009	<u>93</u>	Sealed Document filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit A-Carlota Freeman Deposition Transcript Excerpts, # <u>2</u> Exhibit B-Willie Baker Deposition Transcript Excerpts, # <u>3</u> Exhibit C-Charles Fisher Deposition Transcript

		Excerpts, # <u>4</u> Exhibit D–Jimmy Lovelace Deposition Transcript Excerpts, # <u>5</u> Exhibit E–Declaration of Richard Eskildsen, # <u>6</u> Exhibit F–Kim Wheeler Deposition Transcript Excerpts, # <u>7</u> Exhibit G–Chinica Lillard Deposition Transcript Excerpts, # <u>8</u> Exhibit H–Farlota Freeman Medical Records)(Backus, Asilia) (Entered: 01/30/2009)
02/09/2009	<u>94</u>	OBJECTIONS to <i>Carlota Freeman Deposition</i> . (Rogers, Helen) (Entered: 02/09/2009)
02/10/2009		Note to filer re <u>94</u> : Each exhibit should be filed as a separate attachment to the main document and the mandatory description field should be used to accurately describe the contents of your attachment. Also, these documents have been scanned. Scanning should be used only for documents that are not created on your computer. A scanned document does not allow for text searches, and also creates a larger file. It is not necessary to re–file these documents unless otherwise directed by the Court. (tmw) (Entered: 02/10/2009)
02/10/2009	<u>95</u>	ORDER granting <u>92</u> Motion for Leave to File Docs Under Seal. Signed by Senior Judge John T. Nixon on 2/10/09. (tmw) (Entered: 02/10/2009)
02/11/2009	<u>96</u>	NOTICE of Appearance by Andy L. Allman on behalf of Carlota Freeman (Allman, Andy) (Entered: 02/11/2009)
02/12/2009	<u>97</u>	First MOTION in Limine by Equal Employment Opportunity Commission, Carlota Freeman. (Allman, Andy) (Entered: 02/12/2009)
02/12/2009	<u>98</u>	Second MOTION in Limine by Equal Employment Opportunity Commission, Carlota Freeman. (Allman, Andy) (Entered: 02/12/2009)
02/12/2009	<u>99</u>	TRIAL BRIEF on <i>Damages</i> by Equal Employment Opportunity Commission, Carlota Freeman. (Allman, Andy) (Entered: 02/12/2009)
02/12/2009	<u>100</u>	Exhibit List by Carlota Freeman.. (Rogers, Helen) (Entered: 02/12/2009)
02/12/2009	<u>101</u>	Witness List <i>Plaintiff's Joint</i> by Carlota Freeman. (Rogers, Helen) (Entered: 02/12/2009)
02/12/2009	<u>102</u>	PRETRIAL MEMORANDUM by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1 – Unreported cases)(Christlieb, David) (Entered: 02/12/2009)
02/12/2009	<u>103</u>	Exhibit List by Whirlpool Corporation.. (Wit, Adam) (Entered: 02/12/2009)
02/12/2009	<u>104</u>	Witness List by Whirlpool Corporation. (Wit, Adam) (Entered: 02/12/2009)
02/12/2009	<u>105</u>	Proposed Jury Instructions by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit)(Christlieb, David) (Entered: 02/12/2009)
02/12/2009	<u>106</u>	MOTION in Limine to <i>Bar Comments Regarding Littler Mendelson's Location, Speciality and/or Size of Law Firm</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Case)(Hult, Keith) (Entered: 02/12/2009)
02/12/2009	<u>107</u>	MOTION in Limine to <i>Preclude Testimony and Documents Regarding the Termination of Charles Fisher</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Fred Contreras Deposition Transcript Excerpts, # <u>2</u> Exhibit 2–Contreras Dep. Ex. 5, # <u>3</u> Exhibit 3–Charles Fisher Deposition Transcript Excerpts, # <u>4</u> Exhibit 4–Unreported Case)(Backus, Asilia) (Entered: 02/12/2009)
02/12/2009	<u>108</u>	MOTION in Limine to <i>Bar Claims for, or Evidence Regarding, Lost Pay Damages</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Freeman Deposition Excerpts, # <u>2</u> Exhibit 2–Freeman Deposition Exhibit, # <u>3</u> Exhibit 3–Cohen's Report, # <u>4</u> Exhibit 4–Cohen Deposition Excerpts, # <u>5</u> Exhibit 5–Part 1–Cases, # <u>6</u> Exhibit 5–Part 2–Cases)(Hult, Keith) (Entered: 02/12/2009)
02/12/2009	<u>109</u>	MOTION in Limine <i>Defendant's Motion in Limine to Preclude Evidence Regarding EEOC Determination and EEOC Interview Notes</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit)(Christlieb, David) (Entered: 02/12/2009)
02/12/2009	<u>110</u>	MOTION in Limine to <i>Preclude Evidence from the Third Party Administrators of Whirlpool's Workers Compensation Plan</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–First Report of Injury or Illness, # <u>2</u> Exhibit 2–Order for Reinstatement and

		to Reset, # <u>3</u> Exhibit 3–Workers' Compensation Mediated Settlement Agreement, # <u>4</u> Exhibit 4–Karen Carey Deposition Transcript Excerpts, # <u>5</u> Exhibit 5–Donald Payne Deposition Transcript Excerpts, # <u>6</u> Exhibit 6–Unreported Case, # <u>7</u> Exhibit 7–Crawford & Company Letter)(Backus, Asilia) (Entered: 02/12/2009)
02/12/2009	<u>111</u>	MOTION in Limine <i>Defendant's Motion in Limine to Preclude Evidence Regarding Other Discrimination And/Or Harassment Complaints</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Christlieb, David) (Entered: 02/12/2009)
02/12/2009	<u>112</u>	MOTION in Limine <i>to preclude Unauthenticated Tape, Unverified Transcript and Evidence Regarding Criminal Conviction Against Willie Baker</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–EEOC Initial Disclosures, # <u>2</u> Exhibit 2–Relevant Correspondence, # <u>3</u> Exhibit 3–Transcript)(Hult, Keith) (Entered: 02/12/2009)
02/12/2009	<u>113</u>	PRETRIAL MEMORANDUM by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/12/2009)
02/12/2009	<u>114</u>	NOTICE by Whirlpool Corporation <i>Defendant's Designation of Depositions To Be Introduced Into Evidence</i> (Attachments: # <u>1</u> Exhibit 1)(Wit, Adam) (Entered: 02/12/2009)
02/12/2009	<u>115</u>	MOTION in Limine <i>Defendant's Motion in Limine to Exclude Any Claim for Damages Related to Freeman's Diabetes or Use of Seroquel</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Christlieb, David) (Entered: 02/12/2009)
02/12/2009	<u>116</u>	MOTION in Limine <i>to Bar Testimony from Dr. Stephen Montgomery and Dr. Harry Steuber Regarding Ultimate Issues</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Affidavit of Dr. Stephen A. Montgomery, # <u>2</u> Exhibit 2–Affidavit of Dr. Harry Steuber, # <u>3</u> Exhibit 3–Report of Dr. Harry Steuber, # <u>4</u> Exhibit 4–Report of Dr. Stephen Montgomery, # <u>5</u> Exhibit 5–Unreported Cases)(Backus, Asilia) (Entered: 02/12/2009)
02/12/2009	<u>117</u>	*DISREGARD – Atty to re–file* Proposed Pretrial Order by all parties. (Backus, Asilia) Modified text on 2/17/2009 (tmw). (Entered: 02/12/2009)
02/12/2009	<u>118</u>	OBJECTIONS by <i>Defendant to Plaintiffs' Designation of Depositions to be Introduced into Evidence</i> . (Backus, Asilia) (Entered: 02/12/2009)
02/12/2009	<u>119</u>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/12/2009)
02/17/2009	<u>120</u>	ACKNOWLEDGEMENT OF SERVICE Executed <i>Subpoena on February 9, 2009, at 8:00 a.m.</i> Acknowledgement filed by Carlota Freeman. (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>121</u>	ACKNOWLEDGEMENT OF SERVICE Executed <i>Subpoena on February 4, 2009</i> Acknowledgement filed by Carlota Freeman. (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>122</u>	SUBPOENA issued to Whirlpool Corporation and returned executed on February 4, 2009 as to Whirlpool Corporation by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>123</u>	SUBPOENA issued to James Harding Lovelace and returned executed on February 4, 2009 as to James Harding Lovelace by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>124</u>	SUBPOENA issued to Charles R. Fisher and returned executed on February 9, 2009 as to Charles R. Fisher by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>125</u>	SUBPOENA issued to Timmy Ray Swader and returned executed on February 6, 2009 as to Timmy Ray Swader by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>126</u>	SUBPOENA issued to Chinica Lillard and returned executed on February 5, 2009 as to Chinica Lillard by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)

02/17/2009	<u>127</u>	SUBPOENA issued to Kim C. Wheeler and returned executed on February 5, 2009 as to Kim C. Wheeler by Carlota Freeman (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>128</u>	RESPONSE to Motion re <u>106</u> MOTION in Limine <i>to Bar Comments Regarding Littler Mendelson's Location, Speciality and/or Size of Law Firm</i> filed by Carlota Freeman. (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>129</u>	RESPONSE to Motion re <u>115</u> MOTION in Limine <i>Defendant's Motion in Limine to Exclude Any Claim for Damages Related to Freeman's Diabetes or Use of Seroquel</i> filed by Carlota Freeman. (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>130</u>	AFFIDAVIT re <u>90</u> MOTION Excuse Plaintiff from Trial by Carlota Freeman. (Rogers, Helen) (Entered: 02/17/2009)
02/17/2009	<u>131</u>	MOTION in Limine <i>to Exclude the "Updated" Report of Dr. Stephen Montgomery</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Dr. Montgomery's Report, # <u>2</u> Exhibit 2–Dr. Montgomery Report dated February 12, 2009, # <u>3</u> Exhibit 3–Unreported Cases)(Backus, Asilia) (Entered: 02/17/2009)
02/17/2009	<u>132</u>	RESPONSE in Opposition re <u>97</u> First MOTION in Limine <i>of Plaintiffs</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Freeman Deposition Transcript Excerpts, # <u>2</u> Exhibit 2–Unreported Cases)(Backus, Asilia) (Entered: 02/17/2009)
02/17/2009	<u>133</u>	RESPONSE in Opposition re <u>98</u> Second MOTION in Limine <i>of Plaintiffs</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–First Report of Injury or Illness, # <u>2</u> Exhibit 2–Order for Reinstatement, # <u>3</u> Exhibit 3–Workers' Compensation Mediated Settlement Agreement, # <u>4</u> Exhibit 4–Unreported Case)(Backus, Asilia) (Entered: 02/17/2009)
02/17/2009	<u>134</u>	MOTION in Limine <i>to Preclude Testimony or Other Evidence Regarding Statements Willie Baker Allegedly Made Outside of Intervening Plaintiff's Presence</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1–Wheeler Deposition Transcript Excerpts, # <u>2</u> Exhibit 2–Freeman Deposition Transcript Excerpts)(Backus, Asilia) (Entered: 02/17/2009)
02/17/2009	<u>135</u>	OBJECTIONS <i>to Plaintiffs' Exhibit List</i> filed by Whirlpool Corporation re <u>100</u> Exhibit List. (Wit, Adam) (Entered: 02/17/2009)
02/17/2009	<u>136</u>	OBJECTIONS <i>to Plaintiffs' Witness List</i> filed by Whirlpool Corporation re <u>101</u> Witness List. (Wit, Adam) (Entered: 02/17/2009)
02/17/2009	<u>137</u>	Proposed Pretrial Order by all parties. (Backus, Asilia) (Entered: 02/17/2009)
02/17/2009	<u>138</u>	RESPONSE filed by Whirlpool Corporation re <u>99</u> Trial Brief filed by Carlota Freeman, Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1–Unreported Case)(Backus, Asilia) (Entered: 02/17/2009)
02/19/2009	<u>139</u>	RESPONSE in Opposition re <u>112</u> MOTION in Limine <i>to preclude Unauthenticated Tape, Unverified Transcript and Evidence Regarding Criminal Conviction Against Willie Baker</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit No. 1 – Transcript from Criminal Court proceeding, # <u>2</u> Exhibit Willie Baker depo excerpts, # <u>3</u> Exhibit Kurt Gamauf depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	<u>140</u>	RESPONSE in Opposition re <u>111</u> MOTION in Limine <i>Defendant's Motion in Limine to Preclude Evidence Regarding Other Discrimination And/Or Harassment Complaints</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit No. 1 – Kurt Gamauf note, # <u>2</u> Exhibit Charles Fisher depo excerpts, # <u>3</u> Exhibit Kurt Gamauf depo excerpts, # <u>4</u> Exhibit Carlotta Freeman depo excerpts, # <u>5</u> Exhibit Chinica Lillard depo excerpts, # <u>6</u> Exhibit Jimmy Lovelace depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	<u>141</u>	RESPONSE in Opposition re <u>107</u> MOTION in Limine <i>to Preclude Testimony and Documents Regarding the Termination of Charles Fisher</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Charles Fisher depo excerpts, # <u>2</u> Exhibit Fred Contreras depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	<u>142</u>	RESPONSE in Opposition re <u>134</u> MOTION in Limine <i>to Preclude Testimony or Other Evidence Regarding Statements Willie Baker Allegedly Made Outside of Intervening</i>

		<i>Plaintiff's Presence</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/19/2009)
02/19/2009	143	MEMORANDUM in Support of 142 Response in Opposition to Motion, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Kim Wheeler depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	144	OBJECTIONS <i>To Defendants Witness List</i> filed by Carlota Freeman re 104 Witness List. (Attachments: # 1 Exhibit A)(Rogers, Helen) (Entered: 02/19/2009)
02/19/2009	145	RESPONSE in Opposition re 109 MOTION in Limine <i>Defendant's Motion in Limine to Preclude Evidence Regarding EEOC Determination and EEOC Interview Notes</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit No. 1 – Notes of Interview of Kim Wheeler, # 2 Exhibit Kim Wheeler depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	146	RESPONSE filed by Equal Employment Opportunity Commission re 118 Objections filed by Whirlpool Corporation. (Attachments: # 1 Exhibit No. 1 Sexual Harassment Policy, # 2 Exhibit Kurt Gamauf depo excerpts)(Dills, Steven) (Entered: 02/19/2009)
02/19/2009	147	Third MOTION in Limine <i>exclude denial of disability</i> by Carlota Freeman. (Allman, Andy) (Entered: 02/19/2009)
02/19/2009	148	RESPONSE in Opposition re 116 MOTION in Limine <i>to Bar Testimony from Dr. Stephen Montgomery and Dr. Harry Steuber Regarding Ultimate Issues</i> filed by Carlota Freeman. (Allman, Andy) (Entered: 02/19/2009)
02/20/2009	149	RESPONSE to Motion re 106 MOTION in Limine <i>to Bar Comments Regarding Littler Mendelson's Location, Speciality and/or Size of Law Firm</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/20/2009)
02/20/2009	150	OBJECTIONS <i>Joint Response by Plaintiffs to Defendants Objection to Plaintiffs Witness List</i> filed by Carlota Freeman re 136 Objections. (Rogers, Helen) (Entered: 02/20/2009)
02/20/2009	151	Additional documents (Proposed Order) re 90 MOTION Excuse Plaintiff from Trial, filed by Carlota Freeman. (Rogers, Helen) Modified text on 2/24/2009 (tmw). (Entered: 02/20/2009)
02/20/2009	152	RESPONSE in Opposition re 131 MOTION in Limine <i>to Exclude the "Updated" Report of Dr. Stephen Montgomery</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/20/2009)
02/20/2009	153	RESPONSE to Motion re 110 MOTION in Limine <i>to Preclude Evidence from the Third Party Administrators of Whirlpool's Workers Compensation Plan</i> filed by Carlota Freeman. (Rogers, Helen) (Entered: 02/20/2009)
02/20/2009	154	MEMORANDUM in Support of 152 Response in Opposition to Motion filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Dr. Stephen Montgomery depo excerpts, # 2 Supplement Unreported Case – Rangasan v. Hawaiian Tug, # 3 Supplement Unreported Case – Seymour v UPS, # 4 Supplement Unreported Case – Torri v Specialty Ins)(Dills, Steven) (Entered: 02/20/2009)
02/20/2009	155	RESPONSE in Opposition re 116 MOTION in Limine <i>to Bar Testimony from Dr. Stephen Montgomery and Dr. Harry Steuber Regarding Ultimate Issues</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/20/2009)
02/20/2009	156	MEMORANDUM in Support of 155 Response in Opposition to Motion filed by Equal Employment Opportunity Commission. (Attachments: # 1 Supplement Unreported Case – Rangasan v Hawaiian Tugs)(Dills, Steven) (Entered: 02/20/2009)
02/20/2009	157	RESPONSE in Opposition re 108 MOTION in Limine <i>to Bar Claims for, or Evidence Regarding, Lost Pay Damages</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/20/2009)
02/20/2009	158	MEMORANDUM in Support of 157 Response in Opposition to Motion filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 02/20/2009)

02/23/2009	<u>159</u>	RESPONSE in Opposition re <u>108</u> MOTION in Limine to <i>Bar Claims for, or Evidence Regarding, Lost Pay Damages</i> filed by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Signed Sep Acknowledgment)(Allman, Andy) (Entered: 02/23/2009)
02/23/2009	<u>160</u>	ORDER granting Intervening Pltf's <u>90</u> Motion to allow the testimony of Carlota Freeman to be introduced through her discovery deposition, and Ms. Freeman is excused from being at the trial of this cause. Based on the parties agreement, this matter shall proceed as a bench trial beginning on Tuesday, 2/24/09. Signed by Senior Judge John T. Nixon on 2/23/09. (tmw) (Entered: 02/23/2009)
02/23/2009	<u>161</u>	ORDER deferring ruling on <u>97</u> Motion in Limine; <u>98</u> Motion in Limine; <u>107</u> Motion in Limine; <u>108</u> Motion in Limine; <u>109</u> Motion in Limine; <u>110</u> Motion in Limine; <u>111</u> Motion in Limine; <u>112</u> Motion in Limine; <u>116</u> Motion in Limine; <u>131</u> Motion in Limine; <u>134</u> Motion in Limine; and <u>147</u> Motion in Limine; granting <u>90</u> Intervening Pltf's Motion to Excuse Pltf from Trial; and denying as moot <u>106</u> Motion in Limine. Signed by Senior Judge John T. Nixon on 2/23/09. (tmw) (Entered: 02/23/2009)
02/25/2009	<u>162</u>	PRETRIAL ORDER. Signed by Senior Judge John T. Nixon on 2/25/09. (tmw) (Entered: 02/25/2009)
02/25/2009	<u>163</u>	STIPULATION by Carlota Freeman. (Rogers, Helen) (Entered: 02/25/2009)
02/26/2009	<u>164</u>	MOTION for Judgment on Partial Findings by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit Unreported Cases)(Backus, Asilia) (Entered: 02/26/2009)
02/26/2009	<u>165</u>	Transcript filed for dates of 2/24/09, before Senior Judge John T. Nixon. Court Reporter/Transcriber: Roxann Harkins, Telephone number: (615) 255-6425, E-Mail Address: roxannrpr@comcast.net. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 3/9/2009. Redaction Request due 3/16/2009. Redacted Transcript Deadline set for 3/26/2009. Release of Transcript Restriction set for 5/26/2009. (tmw) (Entered: 03/02/2009)
03/05/2009	<u>166</u>	Minute Entry for proceedings held before Senior Judge John T. Nixon: Bench Trial held on 2/26/2009. (Court Reporter Charlotte Sloan.) (tmw) (Entered: 03/05/2009)
03/05/2009	<u>167</u>	*AMENDED. See <u>175</u> * WITNESS/EXHIBIT LIST prepared by Courtroom Deputy, re: Civil Bench Trial.(tmw) Modified text on 3/20/2009 (tmw). (Entered: 03/05/2009)
03/05/2009	<u>168</u>	Minute Entry for proceedings held before Senior Judge John T. Nixon: Bench Trial held on 2/24/2009. (Court Reporter Charlotte Sloan.) (tmw) (Entered: 03/06/2009)
03/05/2009	<u>169</u>	Minute Entry for proceedings held before Senior Judge John T. Nixon: Bench Trial held on 2/25/2009. (Court Reporter Charlotte Sloan.) (tmw) (Entered: 03/06/2009)
03/05/2009	<u>170</u>	Minute Entry for proceedings held before Senior Judge John T. Nixon: Bench Trial completed on 2/27/2009. (Court Reporter Charlotte Sloan.) (tmw) (Entered: 03/06/2009)
03/16/2009	<u>171</u>	Transcript filed for date of 2/24/09, before Senior Judge John T. Nixon. Court Reporter/Transcriber: Roxann Harkins, Telephone number: (615) 403-8314, E-Mail Address: roxannrpr@comcast.net. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 3/25/2009. Redaction Request due 4/3/2009. Redacted Transcript Deadline set for 4/13/2009. Release of Transcript Restriction set for 6/11/2009. (tmw) (Entered: 03/16/2009)
03/18/2009	<u>172</u>	Transcript filed for date of 2/26/09, before Senior Judge John T. Nixon. Court Reporter/Transcriber: Charlotte H. Sloan, Telephone number: 615-726-0355, E-Mail Address: charlotte_sloan@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 3/27/2009. Redaction Request due 4/6/2009. Redacted Transcript Deadline set for 4/15/2009. Release of Transcript Restriction set for 6/15/2009. (tmw) (Entered: 03/18/2009)

03/18/2009	<u>173</u>	Transcript filed for date of 2/27/09, before Senior Judge John T. Nixon. Court Reporter/Transcriber: Charlotte H. Sloan, Telephone number: 615-726-0355, E-Mail Address: charlotte_sloan@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 3/27/2009. Redaction Request due 4/6/2009. Redacted Transcript Deadline set for 4/15/2009. Release of Transcript Restriction set for 6/15/2009. (tmw) (Entered: 03/18/2009)
03/20/2009	<u>174</u>	Transcript filed for date of 2/25/09, before Senior Judge John T. Nixon. Court Reporter/Transcriber: Dorothy Stiles, Telephone number: 615-330-1764, E-Mail Address: dorothy_stiles@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 3/31/2009. Redaction Request due 4/7/2009. Redacted Transcript Deadline set for 4/17/2009. Release of Transcript Restriction set for 6/15/2009. (tmw) (Entered: 03/20/2009)
03/20/2009	<u>175</u>	AMENDED WITNESS/EXHIBIT LIST prepared by Courtroom Deputy re: Civil Bench Trial held 2/24/09 - 2/27/09. (tmw) (Entered: 03/20/2009)
03/23/2009	<u>176</u>	Joint MOTION for Extension of Time to File <i>Post-Trial Briefing</i> by Equal Employment Opportunity Commission, Carlota Freeman, Whirlpool Corporation. (Backus, Asilia) (Entered: 03/23/2009)
03/24/2009	<u>177</u>	ORDER granting <u>176</u> Motion for Extension of Time, to 4/17/09, to File Post-Trial Briefing. Signed by Senior Judge John T. Nixon on 3/24/09. (tmw) (Entered: 03/24/2009)
04/17/2009	<u>178</u>	RESPONSE in Opposition re <u>164</u> MOTION for Judgment on Partial Findings filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 04/17/2009)
04/17/2009	<u>179</u>	Proposed Findings of Fact <i>and Conclusions of Law</i> by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 04/17/2009)
04/17/2009	<u>180</u>	STATEMENT of facts <i>and conclusions of law</i> . (Allman, Andy) (Entered: 04/17/2009)
04/17/2009	<u>181</u>	RESPONSE in Opposition re <u>164</u> MOTION for Judgment on Partial Findings <i>and directed verdict</i> filed by Carlota Freeman. (Allman, Andy) (Entered: 04/17/2009)
04/17/2009	<u>182</u>	MOTION to Strike <i>the Report, Opinion and Testimony of Dr. Mark Cohen</i> by Whirlpool Corporation. (Backus, Asilia) (Entered: 04/17/2009)
04/17/2009	<u>183</u>	MOTION to Strike <i>Certain Materials, Evidence, and Testimony</i> by Whirlpool Corporation. (Backus, Asilia) (Entered: 04/17/2009)
04/17/2009	<u>184</u>	Proposed Findings of Fact <i>and Conclusions of Law</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1 - Unreported cases (part 1), # <u>2</u> Exhibit 1 - Unreported Cases (part 2), # <u>3</u> Exhibit 1 - Unreported Cases (part 3))(Backus, Asilia) (Entered: 04/17/2009)
04/23/2009	<u>185</u>	RESPONSE in Opposition re <u>183</u> MOTION to Strike <i>Certain Materials, Evidence, and Testimony</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 04/23/2009)
05/01/2009	<u>186</u>	MOTION for Extension of Time to File Response/Reply as to <u>182</u> MOTION to Strike <i>the Report, Opinion and Testimony of Dr. Mark Cohen</i> by Carlota Freeman. (Allman, Andy) (Entered: 05/01/2009)
05/01/2009	<u>187</u>	RESPONSE in Opposition re <u>183</u> MOTION to Strike <i>Certain Materials, Evidence, and Testimony</i> filed by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Separation Acknowledgment)(Allman, Andy) (Entered: 05/01/2009)
05/05/2009	<u>188</u>	ORDER granting <u>186</u> Motion for Extension of Time, to 5/8/09, to File Response to <u>182</u> MOTION to Strike the Report, Opinion and Testimony of Dr. Mark Cohen. Signed by Senior Judge John T. Nixon on 5/5/09. (tmw) (Entered: 05/05/2009)
05/08/2009	<u>189</u>	RESPONSE in Opposition re <u>182</u> MOTION to Strike <i>the Report, Opinion and Testimony of Dr. Mark Cohen economist</i> filed by Carlota Freeman. (Allman, Andy)

		(Entered: 05/08/2009)
06/09/2009	<u>190</u>	MOTION to Amend/Correct <u>187</u> Response in Opposition to Motion by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Separation Agreement)(Allman, Andy) (Entered: 06/09/2009)
06/16/2009	<u>191</u>	ORDER granting <u>190</u> Motion to Amend/Substitute Document. Signed by Senior Judge John T. Nixon on 6/16/09. (tmw) (Entered: 06/16/2009)
06/16/2009	<u>192</u>	ORDER: For the foregoing reasons, Deft's Motions to Strike Other Evidence <u>183</u> and to Strike Expert Testimony <u>182</u> are both DENIED. It is so ORDERED. Signed by Senior Judge John T. Nixon on 6/16/09. (tmw) (Additional attachment(s) added on 10/20/2009: # <u>1</u> Text based version) (af). (Entered: 06/16/2009)
09/08/2009	<u>193</u>	ORDER: Therefore, the pretrial Motions identified in the February Order <u>161</u> (Doc. Nos. <u>97</u> , <u>98</u> , <u>107</u> – <u>112</u> , <u>116</u> , <u>131</u> , <u>134</u> , <u>147</u>) are hereby DENIED as moot. The following additional pretrial Motions are also DENIED as moot: (1) Pltf Equal Employment Opportunity Commission and Intervening Pltf Carlota Freeman's Motion in Limine <u>49</u> and (2) Deft's Motion in Limine to Exclude Any Claim for Damages Related in Freeman's Diabetes or Use of Seroquel <u>115</u> . Signed by Senior Judge John T. Nixon on 9/8/09. (tmw) (Entered: 09/08/2009)
12/21/2009	<u>194</u>	MEMORANDUM ORDER: This is a Title VII and 42 U.S.C. § 1981 action for race and sex harassment brought against Whirlpool Corporation ("Whirlpool" or "Defendant") by Plaintiff Equal Employment Opportunity Commission ("EEOC") and Intervening Plaintiff Carlota Freeman ("Freeman") collectively, "Plaintiffs"). A bench trial was held in this Court on February 24–27, 2009. Each party submitted their proposed findings of fact and conclusions of law on April 17, 2009 (Doc. Nos. 179, 180, & 184). Also pending is Defendant's Motion for Judgment on Partial Findings ("Defendant's Motion") (Doc. No. 164), to which the EEOC and Freeman submitted responses (Doc. Nos. 178 & 181). Defendant offered that Motion at the close of Plaintiffs' proof, at which time the Court deferred a ruling on that Motion. The Court will make its findings of fact and conclusions of law on the entire record submitted, therefore the Court DENIES Defendant's Motion. For the reasons below, the Court finds that Plaintiffs have met their burden of persuasion and therefore ENTERS JUDGMENT in favor of Plaintiffs. Judgment is entered for Plaintiff Carlotta Freeman in the amount of \$1,073,261. The prevailing parties may move for attorney's fees and/or costs. Signed by Senior Judge John T. Nixon on 12/21/09. (km) (Entered: 12/21/2009)
12/21/2009	<u>195</u>	Final judgment is hereby entered for purposes of Rule 58 and/or Rule 79(a) of the Federal Rules of Civil Procedure on 12/21/09 by km. (km) (Entered: 12/21/2009)
01/15/2010	<u>196</u>	MOTION to Alter Judgment <i>or Amend Judgment Under Rule 59</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Memorandum In Support)(Christlieb, David) (Entered: 01/15/2010)
01/15/2010	<u>197</u>	BILL OF COSTS by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1. Deposition Invoices, # <u>2</u> Exhibit 2. Trial Transcript Invoices)(Dills, Steven) (Entered: 01/15/2010)
01/19/2010	<u>198</u>	First MOTION for Attorney Fees <i>petition extension</i> , First MOTION extension of time to file motion for fees and costs by Carlota Freeman. (Allman, Andy) (Entered: 01/19/2010)
01/20/2010	<u>199</u>	BILL OF COSTS by Carlota Freeman. (Attachments: # <u>1</u> Appendix Fees for Service of Summons and Subpoenas, # <u>2</u> Appendix Fees for Printed Electronically Recorded Transcripts, # <u>3</u> Appendix Fees for Disbursements for Printing, # <u>4</u> Appendix Fees for Witnesses, # <u>5</u> Appendix Fees for Costs of Making Copies, # <u>6</u> Appendix Other Costs)(Rogers, Helen) (Entered: 01/20/2010)
01/21/2010	<u>200</u>	ORDER: Pending before the Court is Intervenor Plaintiff Carlota Freeman's ("Pltf Freeman") Motion for Extension of Time to File Fee Affidavit and Bill of Costs as Well as Responding to Deft's Rule 59 Motion ("Pltf's Motion") <u>198</u> . On 1/20/10, Pltf Freeman filed her Bill of Costs <u>199</u> . Therefore, her request for an extension as to the Bill of Costs is MOOT. Pltf Freeman is hereby GRANTED a 30 day extension within which to file her Fee Affidavit. The Fee Affidavit is now due 30 days from the entry of

		this Order. Pltf Freeman and Pltf Equal Employment Opportunity Commission are hereby GRANTED a 30 day extension within which to file a response to Deft's Rule 59 Motion. The responses will be due 3/1/10. It is so ORDERED. Signed by Senior Judge John T. Nixon on 1/21/10. (tmw) (Entered: 01/21/2010)
01/22/2010	<u>201</u>	OBJECTIONS filed by Whirlpool Corporation re <u>197</u> Bill of Costs. (Backus, Asilia) (Entered: 01/22/2010)
01/26/2010	<u>202</u>	NOTICE by Clerk Regarding Bill of Costs: Pending <u>199</u> Bill of Costs filed by Intervenor Plaintiff Carlota Freeman. The Bill of Costs is defective in that it does not contain a date and time certain for presentation to the Clerk. Accordingly, the Clerk denies the Bill of Costs. Intervenor Plaintiff may file a corrected Bill of Costs within 14 days of this Notice. (ab) (Entered: 01/26/2010)
02/04/2010	<u>203</u>	NOTICE of Taxation of Costs: Pending is the Bill of Costs (Docket Entry <u>197</u>) filed by the Plaintiff Equal Employment Opportunity Commission (EEOC). Defendant Whirlpool Corporation has filed Objections (Docket Entry <u>201</u>). Accordingly, by entering this Notice of Taxation, the Clerk provides notice to the parties that costs in the amount of \$5,339.45 have been determined to be taxable against Defendant in favor of the EEOC. A Taxation of Costs to that effect will be issued by the Clerk on Friday, February 12, 2010. The parties will have seven days from that date to file exceptions to the Clerk's determination for consideration by the Clerk. Following that seven day period the Clerk will consider any exceptions filed and will thereafter issue a Final Taxation of Costs. The parties will then have seven days following the issuance of the Final Taxation of Costs by the Clerk to file a motion before the Court seeking to review the Clerk's determination. Keith Throckmorton, Clerk of Court. (af) (Entered: 02/04/2010)
02/05/2010	<u>204</u>	Amended BILL OF COSTS by Carlota Freeman. (Attachments: # <u>1</u> Appendix Fees for Service of Summons and Subpoenas, # <u>2</u> Appendix Fees for Printed or Electronically Recorded Transcripts, # <u>3</u> Appendix Fees and Disbursement for Printing, # <u>4</u> Appendix Fees for Witnesses, # <u>5</u> Appendix Fees for Costs of Making Copies, # <u>6</u> Appendix Fees for Other Costs)(Rogers, Helen) Modified text on 2/11/2010 (tmw). (Entered: 02/05/2010)
02/11/2010	<u>205</u>	*REVOKED – See docket annotation dated 2/11/10* Costs Taxed in amount of \$ 36,382.61 against Deft Whirlpool Corporation, re <u>204</u> Amended Bill of Costs. (tmw) Modified text on 2/11/2010 (tmw). (Entered: 02/11/2010)
02/11/2010		The taxation of costs entered in favor of Carlota Freeman this date, DE <u>205</u> , is REVOKED as having been made in error. Plaintiff Freeman's Bill of Costs was filed in error in that it did not allow the 7 day period for presentation to the Clerk as mandated by LR 54.01(a). Plaintiff need not refile the amended bill of costs. The clerk will consider this amended bill of costs, DE <u>204</u> , however, defendant Whirlpool shall have the full 7 day period permitted under the Local Rule in which to file objections. (tmw) Modified text on 2/11/2010 (tmw). (Entered: 02/11/2010)
02/11/2010	<u>206</u>	Written Exceptions to Taxation of EEOC's Bill of Costs and Request to Stay Taxation and Further Relief, by Whirlpool Corporation. (Backus, Asilia) Modified text on 2/16&24/2010 (tmw). (Entered: 02/11/2010)
02/12/2010	<u>207</u>	Taxation of Costs: The Clerk hereby taxes costs for Pltf Equal Opportunity Commission (EEOC) as stated in the Notice of Taxation of Costs for this case <u>203</u> . Costs in the amount of \$5,339.45 are taxed against Deft Whirlpool Corporation in favor of the EEOC. The parties have seven days from the date of this Taxation of Costs to file exceptions to the Clerk's determination for consideration by the Clerk. The Clerk will consider the exceptions filed by Whirlpool <u>206</u> prior to the entering of this Taxation of Costs. Following that seven day period the Clerk will consider any exceptions filed and will thereafter issue a Final Taxation of Costs. The parties may then accept the Clerk's determination or within seven days file a motion before the Court seeking review by the Court. (tmw) (Entered: 02/12/2010)
02/12/2010	<u>208</u>	OBJECTIONS re <u>204</u> Amended Bill of Costs, and Request for Further Relief, by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit A–Explanatory Chart of Whirlpool's Objections, # <u>2</u> Exhibit B–Deposition Transcript of Donald Payne on behalf of Crawford & Company, # <u>3</u> Exhibit C–Deposition Transcript of Karen Carey, # <u>4</u> Exhibit D–8/18/07 letter from Siew–Ling Shea to Asilia Backus, # <u>5</u> Exhibit

		E-2007 Price List from Cheryl Erwin, Videographer, # <u>6</u> Exhibit F-Letters from Whirlpool to Freeman enclosing copies of medical records, # <u>7</u> Exhibit G-Helen Rogers letter to Adam Wit regarding costs of copies)(Backus, Asilia) Modified text on 2/16/2010 (tmw). (Entered: 02/12/2010)
02/20/2010	<u>209</u>	First MOTION for Attorney Fees <i>and costs</i> by Carlota Freeman. (Allman, Andy) (Entered: 02/20/2010)
02/20/2010	<u>210</u>	First MOTION for Attorney Fees <i>supporting memorandum</i> by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Affidavit of Andy L. Allman, # <u>2</u> Exhibit Affidavit of Helen Rogers)(Allman, Andy) (Entered: 02/20/2010)
02/22/2010	<u>211</u>	Final Taxation of Costs: The Clerk notes Defendant Whirlpool has filed written Exceptions <u>206</u> to the Clerk's Taxation of Costs <u>207</u> . The Exceptions filed do not question the determination as to the amount of costs, but go to whether the costs should be taxed pending a ruling on a motion for reconsideration and any subsequent appeal. Those are questions for the Court, not the Clerk, and Defendant may raise them in a motion to the Court following this Final Taxation of Costs pursuant to Local Rule 54.01(a). The Clerk hereby makes final the taxation of costs in the amount of \$5,339.45 against Defendant Whirlpool Corporation in favor of the EEOC. The Clerk's reasoning for the final taxation of costs is stated in the Notice of Taxation of Costs <u>203</u> . Keith Throckmorton, Clerk of Court. (tmw) (Entered: 02/22/2010)
02/23/2010	<u>212</u>	NOTICE of Taxation of Costs: Pending is the Amended Bill of Costs <u>204</u> filed by the Intervenor Pltf Carlota Freeman ("Freeman"). Deft Whirlpool Corporation has filed Objections <u>208</u> . Deft asks that consideration or enforcement of the taxation of costs in this case be stayed pending appeal. Although enforcement of the taxation of costs has been stayed by the Court in certain cases where the presiding judge has favored a stay, such is not the practice of the presiding judge in this case. Accordingly, no stay will be directed by the Clerk. Accordingly, by entering this Notice of Taxation, the Clerk provides notice to the parties that costs in the amount of \$4,570.95 have been determined to be taxable against Deft in favor of Intervenor Pltf Freeman. A Taxation of Costs to that effect will be issued by the Clerk on Friday, March 5, 2010. The parties will have seven days from that date (until Friday, March 12, 2010) to file exceptions to the Clerk's determination for consideration by the Clerk. Keith Throckmorton, Clerk of Court. (tmw) (Entered: 02/23/2010)
03/01/2010	<u>213</u>	RESPONSE in Opposition re <u>196</u> MOTION to Alter Judgment <i>or Amend Judgment Under Rule 59</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 03/01/2010)
03/01/2010	<u>214</u>	MEMORANDUM in Support of <u>213</u> Response in Opposition to Motion, <u>196</u> MOTION to Alter Judgment <i>or Amend Judgment Under Rule 59</i> filed by Equal Employment Opportunity Commission. (Dills, Steven) (Entered: 03/01/2010)
03/01/2010	<u>215</u>	RESPONSE in Opposition re <u>196</u> MOTION to Alter Judgment <i>or Amend Judgment Under Rule 59</i> filed by Carlota Freeman. (Allman, Andy) (Entered: 03/01/2010)
03/04/2010	<u>216</u>	MOTION for Extension of Time to File Response/Reply as to <u>209</u> First MOTION for Attorney Fees <i>and costs</i> by Whirlpool Corporation. (Backus, Asilia) (Entered: 03/04/2010)
03/05/2010	<u>217</u>	Taxation of Costs: The Clerk hereby taxes costs for Plaintiff Carlota Freeman in the amount of \$4,570.95 as stated in the Notice of Taxation of Costs for this case <u>212</u> . The costs are taxed against Defendant Whirlpool Corporation. The parties have seven days from the date of this Taxation of Costs to file exceptions to the Clerk's determination for consideration by the Clerk. Following that seven day period the Clerk will consider any exceptions filed and will thereafter issue a Final Taxation of Costs. The parties may then accept the Clerk's determination or within seven days file a motion before the Court seeking review of the Clerk's decision by the Court. Keith Throckmorton, Clerk of Court. (tmw) (Entered: 03/05/2010)
03/09/2010	<u>218</u>	ORDER granting <u>216</u> Motion for Extension of Time, to 3/15/10, to File Response re <u>209</u> First MOTION for Attorney Fees and costs. Signed by Senior Judge John T. Nixon on 3/9/10. (tmw) (Entered: 03/09/2010)

03/11/2010	<u>219</u>	MOTION for Leave to File Reply Brief <i>In Support of Its Rule 59 Motion to Alter/Amend Judgment</i> by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1)(Christlieb, David) Modified text on 3/15/2010 (tmw). (Entered: 03/11/2010)
03/12/2010	<u>220</u>	Joint MOTION to Stay re <u>209</u> First MOTION for Attorney Fees <i>and costs</i> by Whirlpool Corporation. (Backus, Asilia) (Entered: 03/12/2010)
03/15/2010	<u>221</u>	Final Taxation of Costs: The Clerk entered a Taxation of Costs in favor of Intervenor Plaintiff Carlota Freeman on March 5, 2010. The Taxation of Costs notified the parties that pursuant to Local Rule 54.01(a) they had seven days to file Exceptions to the Clerk's determination. No Exceptions have been filed. Accordingly, the Clerk hereby makes final the taxation of costs in the amount of \$4,570.95 against Defendant Whirlpool Corporation in favor of Carlota Freeman. The Clerk's reasoning for the final taxation of costs is stated in the Notice of Taxation of Costs <u>212</u> . Keith Throckmorton, Clerk of Court.(tmw) (Entered: 03/15/2010)
03/17/2010	<u>222</u>	ORDER: After consideration and for good cause shown, the Parties' Motion <u>220</u> is GRANTED. Proceedings on Plaintiff's Motion <u>209</u> are STAYED pending the entry of judgment on Defendant's Motion <u>196</u> . Plaintiff shall file her amended Motion for Attorneys' Fees, if any, within 14 days of the Court's ruling on Defendant's Motion. In the event that Plaintiff does not file an amended Motion for Attorneys' Fees, Defendant shall file its Response to Plaintiff's Motion within 14 days of the Court's ruling on Defendant's Motion. It is so ORDERED. Signed by Senior Judge John T. Nixon on 3/17/10. (tmw) (Entered: 03/17/2010)
03/22/2010	<u>223</u>	MOTION for Review re <u>221</u> Final Taxation of Costs, by Carlota Freeman. (Allman, Andy) Modified text on 3/29/2010 (tmw). (Entered: 03/22/2010)
04/01/2010	<u>224</u>	RESPONSE in Opposition re <u>223</u> MOTION for Review re <u>221</u> Costs Taxed,, filed by Whirlpool Corporation. (Backus, Asilia) (Entered: 04/01/2010)
08/19/2010	<u>225</u>	NOTICE of Change of Address by Asilia S. Backus (Backus, Asilia) (Entered: 08/19/2010)
03/31/2011	<u>226</u>	ORDER: Defendant's Motion for Leave to File Reply <u>219</u> is hereby GRANTED. The Court finds that Defendant has not offered to the Court sufficient evidence that the Courts Memorandum Order contained clear errors of law or manifest injustices. Accordingly, Defendants Motion to Alter/Amend Judgment <u>196</u> is DENIED. Signed by Senior Judge John T. Nixon on 3/31/2011. (hb) (Entered: 04/01/2011)
04/08/2011	<u>227</u>	MOTION to Clarify re <u>222</u> Order on Motion to Stay,, (<i>Agreed Motion for Clarification of Order</i>) by Whirlpool Corporation. (Backus, Asilia) (Entered: 04/08/2011)
04/14/2011	<u>228</u>	ORDER: Defendant's Motion to Clarify <u>227</u> is GRANTED. Freeman has until on or before Thursday, April 14, 2011 to file her Amended Motion for Attorneys' Fees, if any, and Defendant has until on or before Thursday, April 28, 2011 to file its Response to Freeman's Amended Motion or original Motion. Signed by Senior Judge John T. Nixon on 4/14/2011. (hb) (Entered: 04/14/2011)
04/14/2011	<u>229</u>	Second MOTION for Attorney Fees by Carlota Freeman. (Attachments: # <u>1</u> Exhibit Allman Affidavit, # <u>2</u> Exhibit Rogers Affidavit)(Allman, Andy) (Entered: 04/14/2011)
04/26/2011	<u>230</u>	NOTICE OF APPEAL as to <u>194</u> Order Dismissing Case,,,,, <u>226</u> Order on Motion to Alter Judgment,, Order on Motion for Leave, <u>192</u> Memorandum Opinion of the Court,, Order,, Terminate Motions, by Whirlpool Corporation. Filing fee \$ 455, receipt number 0650-1068379. (Backus, Asilia) (Entered: 04/26/2011)
04/28/2011	<u>231</u>	RESPONSE in Opposition re <u>210</u> First MOTION for Attorney Fees <i>supporting memorandum</i> , <u>229</u> Second MOTION for Attorney Fees, <u>209</u> First MOTION for Attorney Fees <i>and costs</i> filed by Whirlpool Corporation. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Backus, Asilia) (Entered: 04/28/2011)
08/02/2011	<u>232</u>	ORDER: For the reasons discussed herein, Plaintiff's Fee Motions and Plaintiff's Motion for Review are GRANTED, with the modifications discussed herein. Defendant is ORDERED to pay attorney's fees and costs consistent with this Order. Signed by Senior Judge John T. Nixon on 8/2/11. (tmw) (Entered: 08/02/2011)

06/12/2012	<u>233</u>	ORDER of USCA granting Joint motion to dismiss case – voluntarily. (afs) (Entered: 06/13/2012)
------------	------------	--