

CASE-CLOSED, CASE-MANAGER-BROWN

**U.S. District Court
Middle District of Tennessee (Nashville)
CIVIL DOCKET FOR CASE #: 3:01-cv-00021**

Burton, et al v. Toshiba America, et al
Assigned to: Chief Judge Todd J. Campbell
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/08/2001
Date Terminated: 09/09/2002
Jury Demand: Defendant
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Fred Burton
*on behalf of himself and all other black
persons similarly situated*

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Defendant

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Defendant

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Date Filed	#	Docket Text
01/08/2001	1	COMPLAINT; (1 Summons issued); Filing fee paid in the amount of : \$150.00; Receipt # 77697 (tlc) (Entered: 01/11/2001)
01/08/2001	2	NOTICE of Initial Case Management Conference; Case referred to Magistrate Judge E. C. Knowles to conduct the Initial Case Management Conference set for 10:00 a.m. on 3/8/01 (tlc) (Entered: 01/11/2001)
01/16/2001	3	ORDER by Judge Todd J. Campbell; Case referred to Magistrate Judge E. C. Knowles for customized case management in accordance w/Local Rule 11; discovery is not stayed absent further order of the court; counsel for pltfs shall promptly serve a copy of this order on deflt (cc: all counsel) (EOD 1/16/01) (tlc) (Entered: 01/16/2001)
02/05/2001	4	ORDER by Magistrate Judge E. C. Knowles; Initial Case Management Conference reset for 10:30 a.m. on 3/12/01 ; counsel for pltfs to serve a copy of this order on deflt (cc: all counsel) (EOD 2/6/01) (tlc) (Entered: 02/06/2001)
03/09/2001	5	MOTION by pltf to stay the current litigation pending settlement negotiations ; and for court to approve parties' stipulation re: the tolling of the statues of limitations (tlc) (Entered: 03/12/2001)

03/09/2001		PROPOSED Order granting pltfs' motion to stay and for approval of stipulation, DE#5; as well as resetting the CMC (tlc) (Entered: 03/12/2001)
04/12/2001	6	ORDER by Magistrate Judge E. C. Knowles: Order of recusal and reassigned to Magistrate Judge Joe B. Brown ; Case Management Conference scheduled for 4/12/01 is cancelled ; ICMC will be rescheduled by Magistrate Judge Joe B. Brown (cc: all counsel) EOD 4/16/01 (vh) (Entered: 04/16/2001)
04/20/2001	7	ORDER by Magistrate Judge Joe B. Brown: Telephonic Case Management Conference set for 10:00 on 5/4/01. EOD 4/23/01 (cc: all counsel) (gi) (Entered: 04/23/2001)
05/04/2001	8	ORDER by Magistrate Judge Joe B. Brown: Telephone Conference held 5/4/01; Telephone Conference set for 1:00 p.m. on 7/19/01 ; parties shall report to the Court on or before close of business on 6/1/01, whether they intend to undertake further settlement negotiations (cc: all counsel) EOD 5/4/01 (vh) (Entered: 05/04/2001)
06/06/2001	9	ORDER by Magistrate Judge Joe B. Brown: parties have advised that they are undertaking serious settlement negotiations; the telephone conference scheduled for 1:00 p.m. on 7/19/01, shall remain as scheduled; if parties have not reached a settlement by 7/13/01, the parties shall submit to the Court a proposed case management plan in accordance w/the Local Rules (cc: all counsel) EOD 6/6/01 (vh) (Entered: 06/06/2001)
07/13/2001	10	MOTION by deft Toshiba America for attorney John A. Ridley to appear pro hac vice and for attorney Donald Anthony Beshada to appear pro hac vice (w/att'd certificates of good standing & proposed order) (vh) Modified on 07/16/2001 (Entered: 07/16/2001)
07/13/2001	11	CERTIFICATE of Good Standing filed by deft Toshiba America for atty John A. Ridley from USDC/NJ (vh) (Entered: 07/16/2001)
07/13/2001	12	CERTIFICATE of Good Standing filed by deft Toshiba America for atty Donald Anthony Beshada from USDC/NJ (vh) (Entered: 07/16/2001)
07/16/2001		PROPOSED Initial Case Management Order (vh) (Entered: 07/17/2001)
07/18/2001	13	ORDER by Magistrate Judge Joe B. Brown granting motion for attorneys John A. Ridley and Donald Anthony Beshada to appear pro hac vice [10-1], [10-2] by deft Toshiba America (cc: all counsel) EOD 7/18/01 (vh) (Entered: 07/18/2001)
07/19/2001	14	MOTION by pltfs for attys David W. Sanford & Lori B. Kisch to appear pro hac vice (ts) (Entered: 07/19/2001)
07/19/2001	15	ORDER by Magistrate Judge Joe B. Brown granting motion for attys David W. Sanford & Lori B. Kisch to appear pro hac vice [14-1] by pltfs (cc: all counsel) EOD 7/20/01 (vh) (Entered: 07/20/2001)
08/03/2001		PROPOSED Initial Case Management Order submitted by parties (vh) (Entered: 08/06/2001)
08/08/2001		STIPULATION and PROPOSED Consent Protective Order (vh) (Entered: 08/08/2001)
08/08/2001	16	ORDER by Magistrate Judge Joe B. Brown granting joint motion to stay the current litigation pending settlement negotiations [5-1] and stipulation re: the tolling of the statues of limitations [5-2]; CASE STAYED (cc: all counsel) EOD 8/9/01 (vh) (Entered: 08/09/2001)
08/08/2001	17	INITIAL CASE MANAGEMENT ORDER by Magistrate Judge Joe B. Brown: Case Management Conference held 7/19/01; Class certification discovery shall commence on 9/13/01 and remain open through 5/1/02; preliminary dispositive motion filing deadline 9/21/01 ; responses due 10/12/01; replies due 10/19/01; the partis shall engage in good faith settlement negotiations through 8/30/01; in the event that settlement is not reached by 8/30/01, pltfs shall file an amended complaint by 9/7/01. (cc: all counsel) EOD 8/9/01 (vh) (Entered: 08/09/2001)
08/09/2001	18	STIPULATION AND CONSENT PROTECTIVE ORDER by Magistrate Judge Joe B. Brown: the parties shall have the right to designate any documents or information

		which contains confidential and/or proprietary business information, personnel information, trade secrets, and/or information subject to a legally protected right of privacy, as "Confidential" or "Restricted for Counsel's Eyes Only". "Confidential" or "Restricted" information may include papers, tapes, documents, discovery responses, computer images, disks, diskettes and other tangible things produced by any party or obtained in connection with this action. See order for complete details. (cc: all counsel) EOD 8/9/01 (vh) Modified on 08/09/2001 (Entered: 08/09/2001)
08/10/2001	19	ORDER by Judge Todd J. Campbell: Bench Trial set for 9:00 a.m. on 1/21/03; pretrial conference set for 10:00 a.m. on 1/10/03; joint proposed pretrial order ddl 1/6/03; brief ddl 1/6/03 ; the parties shall also file by 1/6/03, the following: witness lists, exhibit lists, and stipulations; the parties shall file by 12/26/02, any motions in limine and any motions objecting to expert testimony; any responses to such motions due by 1/6/03. (cc: all counsel) EOD 8/10/01 (vh) (Entered: 08/10/2001)
08/31/2001		PROPOSED Amendment to Initial Case Management Order (vh) (Entered: 09/04/2001)
09/04/2001	20	AMENDMENT TO INITIAL CASE MANAGEMENT ORDER by Magistrate Judge Joe B. Brown: the settlement period is extended through 9/28/01; if settlement is not reached by 9/28/01, pltfs shall file an amended complaint by 10/5/01; TACP shall file its answer to the amended complaint by 10/26/01; Class certification discovery shall commence on 10/12/01; Preliminary dispositive motion filing deadline 10/19/01 ; all other provisions of the ICMC order are not affected by the entry of this amendment and shall remain in full force and effect. (cc: all counsel) EOD 9/4/01 (vh) (Entered: 09/04/2001)
11/05/2001	21	ORDER by Magistrate Judge Joe B. Brown: the parties have advised that they need approximately 45 days to file additional pleadings in this case. CASE STAYED until 12/21/01. (cc: all counsel) EOD 11/6/01 (vh) (Entered: 11/06/2001)
11/19/2001	22	NOTICE by pltfs' attorney, David Sanford, of filing new address: Gordon, Silberman, Wiggins & Childs, P.C., 7 Dupont Circle, Suite 200, Washington, D.C. 20036 (xc: af) (vh) (Entered: 11/19/2001)
12/21/2001	23	ORDER by Magistrate Judge Joe B. Brown: the Magistrate Judge has been advised that the parties have settled this matter in principal. An appropriate order of dismissal will be filed by the parties with the District Judge w/in 30 days from the date of this order. The Clerk is directed to forward the file to Judge Campbell for whatever action he deems appropriate once the order of dismissal is filed. Terminating case referral to Magistrate Judge Joe B. Brown. (cc: all counsel) EOD 12/26/01 (vh) (Entered: 12/26/2001)
01/25/2002	24	ORDER by Magistrate Judge Joe B. Brown: a telephone conference was held on 1/24/02. The parties advised that they were in the process of completing the final details of the proposed settlement in this matter. The parties may have until 2/8/02, to file their proposed settlement with the District Judge and to file with the District Judge a proposed scheduling order for the steps necessary to dispose of a class action settlement. (cc: all counsel) EOD 1/28/02 (vh) Modified on 01/28/2002 (Entered: 01/28/2002)
02/07/2002	25	ORDER by Magistrate Judge Joe B. Brown: Parties requested a brief extension until 2/25/02, to file a proposed settlement agreement with the District Judge, and also a proposed scheduling order for the steps necessary to dispose of a class action settlement. The parties may have a final extension until 2/25/02, to submit these documents to the District Judge. (cc: all counsel) EOD 2/7/02 (vh) (Entered: 02/07/2002)
02/25/2002	26	AMENDED COMPLAINT [1-1] by pltfs; adding Crystal Phillips, Kenneth Thompson, Monica Thompson, William Bowman, Paula Donald, Ron Shannon, Anthony Hughes, Jebre Clemmons, Toshiba America, Inc; jury demand (vh) (Entered: 02/26/2002)
02/25/2002	27	ANSWER by deflt Toshiba America to amended complaint [26-1]; jury demand (vh) (Entered: 02/26/2002)

02/25/2002	28	ANSWER by deft Toshiba America, Inc to amended complaint [26-1]; jury demand (vh) (Entered: 02/26/2002)
02/25/2002	29	JOINT MOTION by parties for preliminary approval of settlement agreement (vh) (Entered: 02/26/2002)
02/25/2002	30	MEMORANDUM OF LAW by parties in support of joint motion for preliminary approval of settlement agreement [29-1] (w/att'd exhibit A) (vh) (Entered: 02/26/2002)
02/25/2002	31	STIPULATION AND SETTLEMENT AGREEMENT by parties (w/att'd exhibits A-D) (vh) (Entered: 02/26/2002)
03/01/2002	32	ORDER by Judge Todd J. Campbell: the Court will hold a hearing on the joint motion for preliminary approval of settlement agreement [29-1] at 11:00 a.m. on 3/15/02. (cc: all counsel) EOD 3/1/02 (vh) (Entered: 03/01/2002)
03/15/2002	33	CLERK'S RESUME: hearing held 3/15/02 on motion for preliminary approval of settlement agreement [29-1]. This hearing was held to review the parties' joint motion for preliminary approval of settlement. The Court granted the motion pending certain revisions. A fairness hearing is set for 5/24/02 at 12:00 p.m. Order to enter. C/R : Jim Spence (vh) (Entered: 03/18/2002)
03/15/2002	34	ORDER by Judge Todd J. Campbell granting joint motion for preliminary approval of settlement agreement [29-1], subject to submission of the revised documents, as represented by counsel by 3/22/02. A fairness hearing is set for 12:00 p.m. on 5/24/02. (cc: all counsel) EOD 3/18/02 (vh) (Entered: 03/18/2002)
03/22/2002	35	JOINT MOTION by parties for preliminary approval of amended settlement agreement (vh) (Entered: 03/25/2002)
03/22/2002	36	AMENDED STIPULATION AND SETTLEMENT AGREEMENT (w/att'd exhibits A-D) (vh) (Entered: 03/25/2002)
03/26/2002	37	ORDER by Judge Todd J. Campbell granting joint motion for preliminary approval of amended settlement agreement [35-1]. The parties shall delete the requirement of the signature of the Clerk of Court on the ntc's at exhibits A and D to the amended stipulation and settlement agreement (DE #36). The Court will conduct a fairness hearing on 5/24/02, at 12:00 p.m. (cc: all counsel) EOD 3/27/02 (vh) (Entered: 03/27/2002)
05/10/2002	38	JOINT MOTION and MEMORANDUM by parties for approval of form and content of final notice of settlement, individual form of release, opt out form and applicant affidavit (w/att'd exhibits A-D) (vh) (Entered: 05/13/2002)
05/22/2002	39	ATTORNEY APPEARANCE for defts by John A. Ridley (vh) (Entered: 05/22/2002)
05/24/2002	40	CLERK'S RESUME: A fairness hearing was held on 5/24/02 to discuss additional details and changes to the settlement notice, individual form of release, etc. Order to enter. C/R: Jim Spence (rls) (Entered: 05/28/2002)
05/24/2002	41	ORDER by Judge Todd J. Campbell: By 5/30/02 the parties shall submit a proposed order including the additional language discussed at the hearing held on this matter. At that time, the joint motion [38-1] will be granted and the proposed settlement documents will be approved. (cc: all counsel) (EOD 5/28/02) (rls) (Entered: 05/28/2002)
05/30/2002	42	NOTICE OF FILING by parties of proposed amended final ntc of settlement and proposed order granting final approval to amended stipulation and settlement agreement (w/att'd amended final ntc & proposed order) (vh) (Entered: 05/31/2002)
06/06/2002	43	ORDER by Judge Todd J. Campbell granting joint motion for approval of form and content of final notice of settlement, individual form of release, opt out form and applicant affidavit [38-1]. The parties shall submit a proposed order of dismissal to the Court by 9/1/02. (cc: all counsel) EOD 6/7/02 (vh) (Entered: 06/07/2002)
07/12/2002		REMARK-Opt-Out form received from Ray Weir c/o Ms. Melissa Weir 9736 Barlow Ln, Lascassas, TN 37085 (copies forwarded to attorneys of record) (vh) (Entered: 07/18/2002)

07/24/2002		REMARK-Opt-Out Form received from Brian Mines 2001 Somerset Pl, Mt. Juliet, TN 37122 (cc: attorneys of record) (vh) (Entered: 07/25/2002)
09/09/2002	44	ORDER by Judge Todd J. Campbell: parties were to submit a proposed order of dismissal or other appropriately captioned document to the Court by 9/1/02. As of the date of entry of this order, the parties had not submitted the proposed order. This action is dismissed without prejudice , to the right, upon good cause shown within 20 days to reopen this action if the settlement has not been consummated. (cc: all counsel) EOD 9/10/02 (vh) (Entered: 09/10/2002)