

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (Austin)  
CIVIL DOCKET FOR CASE #: 1:04-cv-00632-LY**

Equal Employment v. Spherion Corporation  
Assigned to: Judge Lee Yeakel  
Demand: \$0  
Cause: 42:12117 Employment Discrimination on Basis of  
Disability

Date Filed: 09/29/2004  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Jennifer Randall**  
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V.

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**Intervenor Plaintiff****Eric Madigan**

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**ATTORNEY TO BE NOTICED**

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**Movant****Dell Products, L.P.**

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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/29/2004		Case assigned to Judge Lee Yeakel (tdk) (Entered: 09/29/2004)
09/29/2004	<a href="#"><u>1</u></a>	Complaint filed. Filing Fee: \$ wv (Pages: 6) (tdk) (Entered: 09/29/2004)
09/29/2004		Court file prepared and forwarded to Judge Yeakel (tdk) (Entered: 09/29/2004)
10/28/2004	<a href="#"><u>2</u></a>	Waiver of Service by Spherion Corporation ; Notice and Request Mailed on 10/4/04 ; Answer due on 12/3/04 for Spherion Corporation (mc2) (Entered: 11/01/2004)
12/02/2004	<a href="#"><u>3</u></a>	Motion by Dorothea Huschka, Eric Madigan to intervene (mc2) (Entered: 12/02/2004)

12/03/2004	<a href="#">4</a>	Answer by Spherion Corporation (mc2) (Entered: 12/03/2004)
12/22/2004	<a href="#">5</a>	Answer and affirmative defenses by Spherion Corporation to the complaint in intervention (dm) (Entered: 12/28/2004)
01/12/2005	<a href="#">6</a>	Order referring motion to intervene [3-1] to Judge Andrew W. Austin for report and recommendation, signed by Judge Lee Yeakel (mc2) (Entered: 01/12/2005)
01/21/2005	<a href="#">7</a>	Notice of filing by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan - joint Rule 26(F) report. (mc2) (Entered: 01/21/2005)
01/21/2005	<a href="#">8</a>	Recommendations for scheduling order by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan (mc2) (Entered: 01/21/2005)
02/11/2005	<a href="#">9</a>	Order setting miscellaneous hearing - initial pretrial conference - for 3:00 2/28/05 signed by Judge Lee Yeakel (mc2) (Entered: 02/14/2005)
02/17/2005	<a href="#">10</a>	Report and recommendation of Judge Austin that the District Court grant the motion to intervene [3-1] (mc2) (Entered: 02/17/2005)
02/17/2005		Received, Court file from Magistrate Austin; forwarded to Judge Yeakel. (mc2) (Entered: 02/17/2005)
02/22/2005		Acknowledgment receipt of Dorothea Huschka, Eric Madigan magistrate report and recommendations on 2/18/05. (mc2) (Entered: 02/23/2005)
02/22/2005		Acknowledgment receipt of Equal Employment magistrate report and recommendations on 2/18/05. (mc2) (Entered: 02/23/2005)
02/24/2005		Acknowledgment receipt of Spherion Corporation magistrate report and recommendations on 2/22/05. (mc2) (Entered: 02/24/2005)
02/28/2005	<a href="#">11</a>	Minutes of proceedings for initial pretrial conference conducted on 2/28/05 by Judge Yeakel. Court Reporter: Kathy Carroll. (mc2) (Entered: 03/01/2005)
02/28/2005		Miscellaneous hearing - initial pretrial conference - held (mc2) (Entered: 03/01/2005)
02/28/2005	<a href="#">12</a>	Scheduling order setting Joining of parties, amending of pleadings on 5/13/05 Deadline for filing of all motions 12/30/05 Discovery cutoff 10/28/05 Pretrial conference of attorneys by 10:00 3/31/06, with jury trial month of 4/06; Alternate Dispute Resolution Report due by 3/18/05, signed by Judge Lee Yeakel (mc2) (Entered: 03/01/2005)
03/18/2005	<a href="#">13</a>	Alternate Dispute Resolution Report filed by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan, Party(s) agree to Alternate Dispute Resolution (mc2) (Entered: 03/18/2005)
03/18/2005	<a href="#">14</a>	Order granting motion to intervene [3-1] accepting report and recommendations [10-1] signed by Judge Lee Yeakel (mc2) (Entered: 03/21/2005)
03/18/2005	<a href="#">24</a>	Intervenor's complaint (Pages: 6) (mc2) (Entered: 09/27/2005)
05/05/2005	<a href="#">15</a>	Joint motion by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan to amend Scheduling order [12-1] (mc2) (Entered: 05/09/2005)

05/10/2005	<a href="#">16</a>	Order granting joint motion to amend Scheduling order [12-1] [15-1], witnesses/testifying experts/proposed exhibits by plaintiff and intervenor plaintiffs by 7/20/05, defendant's by 8/31/05, signed by Judge Lee Yeakel (mc2) (Entered: 05/10/2005)
06/30/2005	<a href="#">17</a>	Joint motion by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan to amend Scheduling order [12-1] (mc2) (Entered: 06/30/2005)
07/01/2005	<a href="#">18</a>	Order granting joint motion to amend Scheduling order [12-1] [17-1] amending scheduling order deadlines: Deadline for filing of all motions by 2/10/06 ; Discovery deadline on 1/27/06 signed by Judge Lee Yeakel (mc2) (Entered: 07/05/2005)
08/11/2005	<a href="#">19</a>	Motion by Spherion Corporation to amend intervenor answer [5-1], answer [4-1] (mc2) (Entered: 08/11/2005)
08/11/2005		Received, Defendant's first amended answer..., and first amended answer...to complaint in intervention. (mc2) (Entered: 08/11/2005)
08/19/2005	<a href="#">20</a>	Memorandum by Equal Employment in opposition to motion to amend intervenor answer [5-1], answer [4-1] [19-1] (mc2) (Entered: 08/22/2005)
08/19/2005	<a href="#">21</a>	Response by Dorothea Huschka in opposition to motion to amend intervenor answer [5-1], answer [4-1] [19-1] (mc2) (Entered: 08/22/2005)
08/24/2005	<a href="#">22</a>	Reply by Spherion Corporation to response to motion to amend intervenor answer [5-1], answer [4-1] [19-1] (mc2) (Entered: 08/24/2005)
08/30/2005		Letter/Correspondence regarding: vacation for Jennifer Randall, trial attorney (dm) (Entered: 09/01/2005)
09/27/2005	<a href="#">23</a>	Order granting motion to amend intervenor answer [5-1], answer [4-1] [19-1] signed by Judge Lee Yeakel (mc2) (Entered: 09/27/2005)
09/27/2005	<a href="#">25</a>	First Amended Answer by Spherion Corporation to intervenor complaint [24-1] (mc2) (Entered: 09/27/2005)
09/27/2005	<a href="#">26</a>	First Amended answer by Spherion Corporation: answer [4-1] (mc2) (Entered: 09/27/2005)
10/17/2005	<a href="#">27</a>	Combined Witness, Exhibit and Expert List by Equal Employment (td) (Entered: 10/18/2005)
10/20/2005	<a href="#">28</a>	Combined Witness, Exhibit and Expert List by Dorothea Huschka, Eric Madigan (td) (Entered: 10/21/2005)
12/01/2005	<a href="#">29</a>	Combined Witness, Exhibit and Expert List by Spherion Corporation (mc2) (Entered: 12/01/2005)
12/07/2005	<a href="#">30</a>	First amended Combined Witness, Exhibit and Expert List by Equal Employment (mc2) (Entered: 12/09/2005)
12/19/2005	<a href="#">31</a>	Motion by Spherion Corporation for summary judgment (mc2) (Entered: 12/20/2005)

12/22/2005	<a href="#">32</a>	Agreed Joint motion by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan to extend deadline to file responses to defendant's motion for sumjgm (mh) (Entered: 12/27/2005)
12/27/2005	<a href="#">33</a>	Motion by Spherion Corporation for leave to exceed page limitations, pursuant to LR CV7(c) (mh) (Entered: 12/29/2005)
12/27/2005	<a href="#">34</a>	Motion by Spherion Corporation for protective order pursuant to FRCvP 26(c) and 45(c) (mh) (Entered: 12/29/2005)
12/29/2005	<a href="#">35</a>	Order referring motion motion for protective order pursuant to FRCvP 26(c) and 45(c) [34-1], motion for leave to exceed page limitations, pursuant to LR CV7(c) [33-1] to Judge Andrew W. Austin signed by Judge Lee Yeakel (mc2) (Entered: 01/03/2006)
12/29/2005	<a href="#">36</a>	Order granting motion for leave to exceed page limitations, pursuant to LR CV7(c) [33-1] signed by Judge Andrew W. Austin (mc2) (Entered: 01/03/2006)
01/03/2006	<a href="#">37</a>	Order granting joint motion to extend deadline to file responses to defendant's motion for sumjgm [32-1] until 1/13/06, signed by Judge Lee Yeakel (mc2) (Entered: 01/03/2006)
01/05/2006	<a href="#">38</a>	Advisory to the court filed by Equal Employment - extending plaintiff EEOC's deadline to respond to defendant Spherion Corp.'s motion for protection. (mc2) (Entered: 01/06/2006)
01/05/2006	<a href="#">39</a>	Advisory to the court filed by Equal Employment - requesting that Court wait until 1/23/06 to rule on defendant's motion for protection. (mc2) (Entered: 01/06/2006)
01/06/2006	<a href="#">40</a>	Unopposed Motion by Equal Employment for leave to file - to exceed page limitations (re brief in opposition to defendant Spherion's motion for protection) (mc2) (Entered: 01/06/2006)
01/06/2006	<a href="#">41</a>	Memorandum by Equal Employment in opposition to motion for protective order pursuant to FRCvP 26(c) and 45(c) [34-1] (mc2) (Entered: 01/06/2006)
01/09/2006	<a href="#">42</a>	Combined Witness, Exhibit and Expert List by Spherion Corporation (mc2) (Entered: 01/10/2006)
01/09/2006	<a href="#">43</a>	Order granting motion for leave to file - to exceed page limitations (re brief in opposition to defendant Spherion's motion for protection) [40-1] signed by Judge Andrew W. Austin (mc2) (Entered: 01/10/2006)
01/12/2006	<a href="#">44</a>	Memorandum by Equal Employment in opposition to motion for summary judgment [31-1] (mc2) (Entered: 01/12/2006)
01/13/2006	<a href="#">45</a>	Motion by Dorothea Huschka to substitute real party in interest (Trustee Marsha Milligan) (mc2) (Entered: 01/18/2006)
01/13/2006	<a href="#">46</a>	Response by Dorothea Huschka, Eric Madigan motion for summary judgment [31-1] (mc2) (Entered: 01/18/2006)
01/16/2006	<a href="#">50</a>	Order denying as moot motion for protective order pursuant to FRCvP 26(c) and 45(c) [34-1] signed by Judge Andrew W. Austin (mc2) (Entered: 01/27/2006)

01/17/2006	<a href="#">47</a>	Amended motion by Dorothea Huschka: amended - to substitute amending motion to substitute real party in interest (Trustee Marsha Milligan) [45-1] (mc2) (Entered: 01/18/2006)
01/23/2006	<a href="#">48</a>	Notice of filing by Dorothea Huschka - certificate of conference to amended motion to substitute real party in interest. (mc2) (Entered: 01/24/2006)
01/24/2006	<a href="#">49</a>	Advisory to the court filed by Equal Employment notifying Court that deposition underlying defendant's motion for protection has been cancelled. (mc2) (Entered: 01/24/2006)
01/25/2006		Letter/Correspondence submitted by Spherion Corporation regarding: agreement to extend deadline for defendant to reply to plaintiff's and intervenors' responses to defendant's motion for summary judgment until 1/30/06. Copy to Court. (mc2) (Entered: 01/26/2006)
01/27/2006	<a href="#">51</a>	First amended Combined Witness, Exhibit and Expert List by Dorothea Huschka, Eric Madigan (mc2) (Entered: 01/30/2006)
01/27/2006	<a href="#">52</a>	Second amended Combined Witness, Exhibit and Expert List by Equal Employment (mc2) (Entered: 01/30/2006)
01/31/2006	<a href="#">53</a>	Unopposed Motion by Spherion Corporation to substitute attorney (Edwin Sullivan in place of Scott McLaughlin) (mc2) (Entered: 01/31/2006)
01/31/2006	<a href="#">54</a>	Response by Spherion Corporation amended motion to substitute [47-1], motion to substitute real party in interest (Trustee Marsha Milligan) [45-1] (mc2) (Entered: 01/31/2006)
01/31/2006	<a href="#">55</a>	Reply by Spherion Corporation to intervenors' response to motion for summary judgment [31-1] (mc2) Modified on 01/31/2006 (Entered: 01/31/2006)
01/31/2006	<a href="#">56</a>	Reply by Spherion Corporation to plaintiff's response to motion for summary judgment [31-1] (mc2) (Entered: 01/31/2006)
02/02/2006	<a href="#">57</a>	Unopposed Motion by Equal Employment for leave to file sur reply brief regarding defendant's motion for summary judgment (mc2) (Entered: 02/02/2006)
02/02/2006		Received, plaintiff's sur reply brief regarding defendant's motion for summary judgment. (mc2) (Entered: 02/02/2006)
02/02/2006	<a href="#">58</a>	Order granting motion to substitute attorney (Edwin Sullivan in place of Scott McLaughlin) [53-1] signed by Judge Lee Yeakel (mc2) (Entered: 02/07/2006)
02/03/2006	<a href="#">59</a>	Order granting motion for leave to file sur reply brief regarding defendant's motion for summary judgment [57-1] signed by Judge Lee Yeakel (mc2) (Entered: 02/07/2006)
02/03/2006	<a href="#">60</a>	Sur reply Brief by Equal Employment regarding: motion for summary judgment [31-1] (mc2) (Entered: 02/07/2006)
02/09/2006	<a href="#">61</a>	Unopposed Motion by Dorothea Huschka for leave to file plaintiff-inteviewer's reply regarding motion to substitute as sur reply brief regarding defendant's motion for summary judgment (mc2) (Entered: 02/09/2006)



02/09/2006		Received, plaintiff-inteviewer's sur reply brief regarding defendant's motion for summary judgment. (mc2) (Entered: 02/09/2006)
02/09/2006	<a href="#">62</a>	Reply by Dorothea Huschka to response to amended motion to substitute [47-1], motion to substitute real party in interest (Trustee Marsha Milligan) [45-1] (mc2) (Entered: 02/09/2006)
02/24/2006		Pro hac vice fee paid by Gerald L. Maatman with Amount: \$ 25.00, Receipt # 384557. (mc2) (Entered: 03/03/2006)
02/27/2006	<a href="#">63</a>	Motion by Spherion Corporation for Gerald L. Maatman, Jr. to appear pro hac vice (mc2) (Entered: 02/27/2006)
02/28/2006	<a href="#">64</a>	Order granting motion for Gerald L. Maatman, Jr. to appear pro hac vice [63-1] signed by Judge Lee Yeakel (mc2) (Entered: 02/28/2006)
03/07/2006	<a href="#">65</a>	Joint motion by Equal Employment, Spherion Corporation, Dorothea Huschka, Eric Madigan, Dell Products, L.P. for entry of agreed protective order (mc2) (Entered: 03/07/2006)
03/09/2006	<a href="#">66</a>	Order referring joint motion for entry of agreed protective order [65-1] to Judge Andrew W. Austin signed by Judge Lee Yeakel (mc2) (Entered: 03/09/2006)
03/09/2006	<a href="#">67</a>	Agreed Protective Order granting joint motion for entry of agreed protective order [65-1] signed by Judge Andrew W. Austin (mc2) (Entered: 03/10/2006)
03/09/2006	<a href="#">68</a>	Order granting joint motion for entry of agreed protective order [65-1] signed by Judge Andrew W. Austin (mc2) (Entered: 03/10/2006)
03/15/2006	<a href="#">69</a>	Order resetting final pretrial conference for 2:00 3/28/06 signed by Judge Lee Yeakel (mc2) (Entered: 03/15/2006)
03/20/2006	<a href="#">71</a>	Joint Motion by Equal Employment, Dorothea Huschka, Eric Madigan with memorandum in support in limine (mc2) (Entered: 03/20/2006)
03/20/2006	<a href="#">72</a>	Unopposed Motion by Equal Employment, Dorothea Huschka, Eric Madigan for leave to file - to enlarge page limitation for their brief in support of motion in limine (mc2) (Entered: 03/20/2006)
03/20/2006	<a href="#">73</a>	Pretrial disclosures filed by Spherion Corporation (mc2) (Entered: 03/20/2006)
03/20/2006	<a href="#">70</a>	Pretrial disclosures filed by Equal Employment, Dorothea Huschka, Eric Madigan (mc2) (Entered: 03/21/2006)
03/20/2006	<a href="#">74</a>	Joint motion by Equal Employment, Dorothea Huschka, Eric Madigan for attorney participation in voir dire (mc2) (Entered: 03/21/2006)
03/20/2006	<a href="#">75</a>	Notice of filing by Equal Employment, Dorothea Huschka, Eric Madigan - plaintiff-intervenors' proposed voir dire questions. (mc2) (Entered: 03/21/2006)
03/20/2006	<a href="#">76</a>	Unopposed Motion by Equal Employment, Dorothea Huschka, Eric Madigan to supplement brief in support of motion in limine (mc2) (Entered: 03/21/2006)
03/20/2006	<a href="#">77</a>	Supplement filed by Equal Employment, Dorothea Huschka, Eric Madigan Re: brief in support of motion in limine [71-1] (mc2) (Entered: 03/21/2006)



03/21/2006	<a href="#">78</a>	Order granting motion for leave to file - to enlarge page limitation for their brief in support of motion in limine [72-1] signed by Judge Lee Yeakel (mc2) (Entered: 03/21/2006)
03/23/2006	<a href="#">79</a>	Motion by Spherion Corporation to compel benefits information pursuant to FRCP 37(a)(2)(B) (mc2) (Entered: 03/23/2006)
03/24/2006	<a href="#">80</a>	Objections by Spherion Corporation to plaintiff's and plaintiff-intervenors' exhibits [52-1], [51-1] (dm) (Entered: 03/28/2006)
03/24/2006	<a href="#">81</a>	Joint Brief in opposition to defenanant's motion in limine by Equal Employment, Dorothea Huschka, Eric Madigan (dm) (Entered: 03/28/2006)
03/24/2006	<a href="#">82</a>	Joint Objections by Equal Employment, Dorothea Huschka, Eric Madigan to admissibility of defendant's proposed exhibits [42-1] (dm) (Entered: 03/28/2006)
03/24/2006	83	Unopposed Motion by Equal Employment, Dorothea Huschka, Eric Madigan to enlarge page limitation for their joint brief in opposition to defendant's motion in limine (dm) (Entered: 03/28/2006)
03/27/2006	<a href="#">84</a>	Order granting motion to enlarge page limitation for their joint brief in opposition to defendant's motion in limine [83-1] signed by Judge Lee Yeakel (dm) (Entered: 03/28/2006)
03/27/2006	<a href="#">85</a>	Order granting motion for leave to file plaintiff-intevenor's reply regarding motion to substitute as sur reply brief regarding defendant's motion for summary judgment [61-1] signed by Judge Lee Yeakel (dm) (Entered: 03/28/2006)
03/27/2006	<a href="#">86</a>	Order granting motion to supplement brief in support of motion in limine [76-1] signed by Judge Lee Yeakel (dm) (Entered: 03/28/2006)
03/28/2006	<a href="#">87</a>	Response by Dorothea Huschka, Eric Madigan motion to compel benefits information pursuant to FRCP 37(a)(2)(B) [79-1] (mh) (Entered: 03/30/2006)
03/28/2006		Pretrial conference held. (mh) (Entered: 03/30/2006)
03/28/2006	<a href="#">88</a>	Minutes of proceedings for pretrial conference conducted on 3/28/06 by Judge Yeakel. Court Reporter: None (mh) (Entered: 03/30/2006)
04/07/2006	<a href="#">89</a>	Reply by Spherion Corporation to response to motion to compel benefits information pursuant to FRCP 37(a)(2)(B) [79-1] (mc2) (Entered: 04/07/2006)
04/10/2006	<a href="#">90</a>	Order pretrial conference 9:00 4/14/06 signed by Judge Lee Yeakel (td) (Entered: 04/10/2006)
04/11/2006	<a href="#">91</a>	Supplement filed by Equal Employment, Dorothea Huschka, Eric Madigan Re: miscellaneous objection [82-1] (td) (Entered: 04/12/2006)
04/14/2006	<a href="#">92</a>	Minutes of proceedings for final pretrial conference conducted on 4/14/06 by Judge Yeakel. Court Reporter: Kathy Carroll. (mc2) (Entered: 04/17/2006)
04/14/2006		Final Pretrial conference held in chambers; written order to follow. (mc2) (Entered: 04/17/2006)
04/18/2006	<a href="#">93</a>	Order cancelling 4/06 jury trial setting and resetting for month of 7/06, denying motion for summary judgment [31-1] granting joint motion for attorney participation in voir dire [74-1] granting motion to compel benefits information

		pursuant to FRCP 37(a)(2)(B) [79-1] signed by Judge Lee Yeakel (mc2) (Entered: 04/18/2006)
05/24/2006	<a href="#">94</a>	Joint NOTICE of pending Settlement by Equal Employment Opportunity Commission, Spherion Corporation, Dorothea Huschka, Eric Madigan (mc2, ) (Entered: 05/25/2006)
05/26/2006	<a href="#">95</a>	ORDER that parties file an agreed motion to dismiss or joint stipulation of dismissal by 7/10/06. Signed by Judge Lee Yeakel. (mc2, ) (Entered: 05/30/2006)
07/06/2006	<a href="#">96</a>	Joint MOTION for Extension of Time to File consent decree by Equal Employment Opportunity Commission, Spherion Corporation, Dorothea Huschka, Eric Madigan. (mc2, ) (Entered: 07/06/2006)
07/10/2006	<a href="#">97</a>	ORDER granting <a href="#">96</a> Motion for Extension of Time to File consent decree, until 7/28/06, Signed by Judge Lee Yeakel. (mc2, ) (Entered: 07/11/2006)
07/27/2006	<a href="#">98</a>	MOTION to Continue and advisory to the Court by Equal Employment Opportunity Commission, Spherion Corporation, Dorothea Huschka, Eric Madigan, Dell Products, L.P.. (mc2, ) (Entered: 07/27/2006)
07/31/2006	<a href="#">99</a>	ORDER granting <a href="#">98</a> Motion to Continue and that parties file an agreed motion to dismiss or joint stipulation of dismissal by 8/18/06. Signed by Judge Lee Yeakel. (mc2, ) (Entered: 08/01/2006)
08/18/2006	<a href="#">100</a>	Joint MOTION to enter consent decree by Equal Employment Opportunity Commission, Spherion Corporation, Dorothea Huschka, Eric Madigan. (Attachments: # <a href="#">1</a> Proposed Orders)(mc2, ) (Entered: 08/21/2006)
08/18/2006	<a href="#">101</a>	CONSENT JUDGMENT - Consent decree . Signed by Judge Lee Yeakel. (mc2, ) (Entered: 08/21/2006)
08/18/2006	<a href="#">102</a>	Final JUDGMENT and order entering consent decree . Signed by Judge Lee Yeakel. (mc2, ) (Entered: 08/21/2006)
08/24/2006		Extra copy of defendant's EXHIBITS DESTROYED with permission of Spherion Corporation per courtroom deputy this date. (mc2, ) (Entered: 08/24/2006)

## PACER Service Center

### Transaction Receipt

05/17/2007 08:54:35

<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:04-cv-00632-LY
<b>Billable Pages:</b>	6	<b>Cost:</b>	0.48