

CLOSED, JURY, MAG

**U.S. District Court  
Eastern District of Virginia (Richmond)  
CIVIL DOCKET FOR CASE #: 3:03-cv-00808-DGL**

Equal Employment v. Airgas Carbonic  
Assigned to: Magistrate Judge David G. Lowe  
Demand: \$0  
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/29/2003  
Date Terminated: 06/04/2004  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****Equal Employment Opportunity  
Commission**

represented by **Suzanne Lenahan Nyfeler**  
Equal Employment Opportunity  
Commission  
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*LEAD ATTORNEY*  
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**Tracy Hudson Spicer**  
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**Defendant****Airgas Carbonic, Inc.**

represented by **Jessica R. Hughes**  
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**Charles LeRoy Bachman, Jr.**  
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 \*\*NA\*  
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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/29/2003	1	COMPLAINT; jury demand; fee waived (cmcc) Modified on 09/29/2003 (Entered: 09/29/2003)
09/29/2003		Jury Trial Flag (cmcc) (Entered: 09/29/2003)
09/29/2003		SUMMONS(ES) issued for Airgas Carbonic; counsel called for pick-up (cmcc) (Entered: 09/29/2003)
11/24/2003	2	ANSWER and Affirmative Defenses to Complaint by Airgas Carbonic (Attorney Jessica R. Hughes) (cgar) (Entered: 11/24/2003)
12/01/2003		Pre-Trial Conference set at 9:55 1/6/04 before Judge James R. Spencer (lmcd) (Entered: 12/01/2003)
12/03/2003	3	SUMMONS Returned Executed as to Airgas Carbonic 11/26/03 Answer due on 12/16/03 for Airgas Carbonic (cmcc) (Entered: 12/03/2003)
12/17/2003	4	MOTION by Airgas Carbonic for Charles LeRoy Bachman, Jr. to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 71269 (cmcc) (Entered: 12/17/2003)
12/17/2003	5	MOTION by Airgas Carbonic for John Francis Meyers to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 71270 (cmcc) (Entered: 12/17/2003)
12/18/2003		So Ordered: granting [4-1] motion by Airgas Carbonic for Charles LeRoy

		Bachman, Jr. to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 71269 ( signed by Judge James R. Spencer ) Copies Mailed: yes (cmcc) (Entered: 12/18/2003)
12/18/2003		So Ordered: granting [5-1] motion by Airgas Carbonic for John Francis Meyers to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 71270 ( signed by Judge James R. Spencer ) Copies Mailed: yes (cmcc) (Entered: 12/18/2003)
01/14/2004	6	NOTICE TO COUNSEL that th Court has not received from counsel the report as required by Rule 26(f) of the Federal Rules of Civil Procedure; the parties are therefore deemed to have chosen to proceed in this case without the initial disclosures specified in Rule 26(f) (signed by Judge James R. Spencer ) Copies Mailed: yes [EOD Date: 1/14/04] (cmcc) (Entered: 01/14/2004)
01/14/2004	7	CONSENT to trial by Magistrate by Equal Employment, Airgas Carbonic (cmcc) (Entered: 01/14/2004)
01/14/2004	8	ORDER that, the parties are deemed to have consented to referral of this matter to the United States Magistrate, and the District Court by the undersigned hereby refers Case No. 3:03CV808 to United States Magistrate Judge Lowe for all purposes ( signed by Judge James R. Spencer ) Copies Mailed: yes [EOD Date: 1/14/04] (cmcc) (Entered: 01/14/2004)
01/14/2004		CASE reassigned to Magistrate Judge David G. Lowe pursuant to Order entered January 14, 2004 (cmcc) Modified on 04/30/2004 (Entered: 01/14/2004)
01/14/2004	9	MAGISTRATE JUDGE SCHEDULING AND PRETRIAL ORDER FOR CONSENT CASES filed; Jury Trial date 9:30 6/2/04 ( signed by Magistrate Judge David G. Lowe ) Copies Mailed: yes (lcha) (Entered: 01/15/2004)
04/29/2004	10	MOTION by Equal Employment for Summary Judgment (cmcc) (Entered: 04/30/2004)
04/29/2004	11	MEMORANDUM in support by Equal Employment of [10-1] motion by Equal Employment for Summary Judgment (cmcc) (Entered: 04/30/2004)
04/30/2004	12	MOTION by Airgas Carbonic for Summary Judgment (cmcc) (Entered: 04/30/2004)
04/30/2004	13	MEMORANDUM in support of by Airgas Carbonic [12-1] motion by Airgas Carbonic for Summary Judgment (supplemental exhibit book placed in brown expandable) (cmcc) (Entered: 04/30/2004)
05/04/2004	14	Discovery Designation filed by Equal Employment (cmcc) (Entered: 05/06/2004)
05/06/2004	15	Exhibit list by Equal Employment (cmcc) (Entered: 05/06/2004)
05/11/2004	16	RESPONSE by Equal Employment to [12-1] motion by Airgas Carbonic

		for Summary Judgment (cmcc) (Entered: 05/12/2004)
05/11/2004	17	MEMORANDUM in support by Equal Employment of [16-1] motion response by Equal Employment (exhibits placed in brown expandable) (cmcc) (Entered: 05/12/2004)
05/12/2004	18	Witness list by Equal Employment (cmcc) (Entered: 05/13/2004)
05/12/2004	19	PROPOSED VOIR DIRE by plaintiff Equal Employment (cmcc) (Entered: 05/13/2004)
05/13/2004	20	Amended Exhibit list by Equal Employment (cmcc) (Entered: 05/14/2004)
05/13/2004	21	RESPONSE by Airgas Carbonic to [10-1] motion by Equal Employment for Summary Judgment (cmcc) (Entered: 05/14/2004)
05/13/2004	25	OBJECTION by Equal Employment to [23-1] notice - Amended List of Exhibits by Airgas Carbonic (cmcc) (Entered: 05/14/2004)
05/14/2004	22	Witness list by Airgas Carbonic (cmcc) (Entered: 05/14/2004)
05/14/2004	23	NOTICE of Filing by Airgas Carbonic (Exhibit A - Designation of Discovery; Exhibit B - Exhibit List; Exhibit C - Amended Exhibit List) (cmcc) (Entered: 05/14/2004)
05/14/2004	24	PROPOSED VOIR DIRE by defendant Airgas Carbonic (cmcc) (Entered: 05/14/2004)
05/14/2004	26	Def't's NOTICE of Hearing: on 5/19/04 at 9:00 am (not on schedule and informed counsel) (thom) (Entered: 05/17/2004)
05/17/2004	27	Proposed Jury Additional instructions by Airgas Carbonic (rec'd one set of Additional and placed on left) (thom) (Entered: 05/17/2004)
05/17/2004	28	Witness list by Airgas Carbonic (khan) (Entered: 05/18/2004)
05/17/2004	29	Exhibit list by Airgas Carbonic (khan) (Entered: 05/18/2004)
05/17/2004	30	AMENDED Designation of Exhibits (Exhibit list) by Airgas Carbonic (khan) (Entered: 05/18/2004)
05/18/2004	31	Proposed Jury instructions by Equal Employment (w/one extra set placed on left w/disk) (thom) Modified on 05/18/2004 (Entered: 05/18/2004)
05/18/2004	32	Proposed Jury instructions by Equal Employment, Airgas Carbonic and Special Verdict Form (w/one extra set placed on left with disk) (thom) Modified on 05/18/2004 (Entered: 05/18/2004)
05/18/2004	34	Reply by Equal Employment to Defendant Airgas' [21-1] Opposition (Response) to Plaintiff's [10-1] Motion for Partial Summary Judgment (walk) Modified on 05/19/2004 (Entered: 05/19/2004)
05/19/2004	33	Minute entry: Lowe, M., FTR. Appearances: Parties by counsel. Matter came on for hearing on motions. Arguments heard. Motions for summary judgment taken under advisement. Court to enter order. (:10) (lcha)

		(Entered: 05/19/2004)
05/19/2004		EEOC's disk rec'd and placed on left for voir dire questions. (thom) (Entered: 05/19/2004)
05/26/2004	35	Supplement to Its Motion for Summary Judgment by defendant Airgas Carbonic (cmcc) (Entered: 05/26/2004)
06/01/2004		Exhibits received by Airgas Carbonic - 1 black and 2 white binders in 3 sets (cmcc) (Entered: 06/01/2004)
06/01/2004		Exhibits received by Equal Employment - one black binder in three sets (cmcc) (Entered: 06/01/2004)
06/02/2004	36	Minute entry: Lowe, M., FTR/Sarah Spinner, Court Reporter, Capital Reporting. APPEARANCES: Parties with counsel. Matter came on for jury trial. Appearances same as on list. Jury sworn and examined on voir dire; jury empaneled; sworn to try issues. Pltf's motion in limine, DENIED. Opening statements made. Pltf. adduced evidence, rested. Deft's mtoion for judgment as a matter of law, DENIED. Jury trial continued to 6/3/04 at 9:30 a.m. (4:40) (lcha) (Entered: 06/02/2004)
06/02/2004		Deadline updated; reset Jury Trial for 9:30 6/3/04 before Mag Judge David G. Lowe (lcha) (Entered: 06/02/2004)
06/03/2004	37	Minute entry: Lowe, M., Sarah Spinner, Court Reporter, Capital Reporting. APPEARANCES: Parties with counsel. JURY TRIAL PROCEEDINGS, 2ND DAY. Deft. adduced evidence, rested. Deft's renewed motion for judgment as a matter of law, DENIED. Arguments. Jury charged by Court. No objections to charge. Jury returned verdict in favor of deft. Clerk to enter judgment on jury verdict. (Exhibits returned to parties) (6:05) (lcha) Modified on 06/04/2004 (Entered: 06/04/2004)
06/03/2004	38	JURY VERDICT for Airgas Carbonic (lcha) (Entered: 06/04/2004)
06/03/2004	39	JUDGMENT for Airgas Carbonic against Equal Employment ( ) Copies Mailed: yes [EOD DATE: 6/4/04] (lcha) (Entered: 06/04/2004)
06/03/2004		Jury Trial held (lcha) (Entered: 06/04/2004)
06/04/2004		Case closed (cmcc) (Entered: 06/04/2004)
07/02/2004	40	Verification of Costs by defendant Airgas Carbonic (cmcc) (Entered: 07/06/2004)
07/02/2004	41	Bill of costs by Airgas Carbonic (cmcc) (Entered: 07/06/2004)
07/14/2004	42	OBJECTION by Equal Employment to [41-1] Bill of Costs by Airgas Carbonic (cmcc) (Entered: 07/14/2004)
07/21/2004	43	Response by Airgas Carbonic to [42-1] objection by Equal Employment to Deft Airgas' Bill of Costs (cmcc) (Entered: 07/21/2004)
08/02/2004		Letter sent to all consel that costs will be taxed on August 16, 2004 (lcha) (Entered: 08/02/2004)

08/16/2004	44	Costs taxed in the amount of \$ 5639.97 for Airgas Carbonic. Certified copies mailed to all counsel. (lcha) (Entered: 08/16/2004)
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05/23/2007 14:37:20			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:03-cv-00808-DGL
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24