

**U.S. District Court
Western District of Virginia (Roanoke)
CIVIL DOCKET FOR CASE #: 7:05-cv-00417-sgw-pms**

Equal Employment Opportunity Commission v. Olver
Incorporated et al
Assigned to: Judge Samuel G. Wilson
Referred to: Magistrate Judge Pamela Meade Sargent
Cause: 28:1343 Violation of Civil Rights

Date Filed: 06/30/2005
Date Terminated: 11/06/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Gerald S. Kiel**
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
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V.

Defendant

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Defendant

Adecco USA, Inc.
 TERMINATED: 07/24/2006

represented by **Thomas Richard Bagby**
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Date Filed	#	Docket Text
06/30/2005	<u>1</u>	COMPLAINT against Olver Incorporated, Adecco USA, Inc. filed by Equal Employment Opportunity Commission. 100 Day Notice due by 10/8/2005; 120 Day Service due by 10/28/2005. (Attachments: # <u>1</u> Cover Letter and Civil Cover Sheet)(rkc) (Entered: 07/01/2005)
07/01/2005	<u>2</u>	Summons Issued as to Olver Incorporated, Adecco USA, Inc. (rkc)
09/26/2005	<u>3</u>	RETURN of service of Summons in a Civil Case on 9/22/2005 upon Nanette L. Rider, Managing Agent for CT Corporation System (mec) (Entered: 09/27/2005)
10/11/2005	<u>4</u>	ANSWER to Complaint by Adecco USA, Inc..(Bagby, Thomas)
10/11/2005	<u>5</u>	Positive Corporate Disclosure Statement by Adecco USA, Inc. identifying Adecco, SA as Corporate Parent. (Bagby, Thomas) Modified on 11/1/2005 - Changed text to reflect Positive Disclosure (rkc)
10/12/2005	<u>6</u>	100 Day Notice Letter. (tob,)
10/13/2005	<u>7</u>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Olver Incorporated served on 9/26/2005, answer due 10/17/2005. (rkc)
10/14/2005	<u>8</u>	ANSWER to Complaint by Olver Incorporated.(Lawson, Mark)
10/14/2005	<u>9</u>	Negative Corporate Disclosure Statement by Olver Incorporated. (Lawson, Mark)
10/18/2005	<u>10</u>	Scheduling Letter to counsel. (rkc)
10/18/2005	<u>11</u>	Magistrate's Notice to counsel. (rkc)
10/31/2005	<u>12</u>	SCHEDULING ORDER: Jury Trial set for May 2-4, 2006 09:00 AM in Roanoke before Judge Samuel G. Wilson.. Signed by Judge Samuel G. Wilson on 10/31/2005. (rkc) (Entered: 11/01/2005)

11/01/2005	<u>13</u>	Notice of Correction: Redocketed <u>12</u> Scheduling Order. (rkc)
12/08/2005	<u>14</u>	Negative Corporate Disclosure Statement by Olver Incorporated. (Lawson, Mark)
12/12/2005	<u>15</u>	NOTICE of Appearance by Robert Lucas Hobbs on behalf of Olver Incorporated (Hobbs, Robert)
01/19/2006	16	Notice of Correction : Deleted original doc entry #16 (Return of Service) to allow for refileing with redactions. (rkc)
01/19/2006	<u>17</u>	RETURN of service of subpoena on January 12, 2006 upon Tom Wilkinson (Hobbs, Robert)
02/01/2006	<u>18</u>	AFFIDAVIT of Service for Subpoena <i>Duces Tecum</i> served on Carnival Cruise Lines on January 18, 2006, filed by Olver Incorporated. (Hobbs, Robert)
02/01/2006	<u>19</u>	Joint MOTION to Continue <i>The Trial Date</i> by Adecco USA, Inc.. (Cothran, Elizabeth)
02/01/2006	<u>20</u>	NOTICE to Take Deposition of Shannica Allen Dickerson by Olver Incorporated.(Hobbs, Robert)
02/01/2006	<u>21</u>	NOTICE to Take Deposition of plaintiff by Olver Incorporated.(Hobbs, Robert)
02/06/2006	<u>22</u>	RETURN of service of Subpoena on January 30, 2006 upon Salem Health & Rehab Center (Hobbs, Robert)
02/06/2006	<u>23</u>	RETURN of service of Subpoena on January 19, 2006 upon City Trust Mortgage (Hobbs, Robert)
02/08/2006	<u>24</u>	ORDER granting <u>19</u> Motion to Continue. Signed by Judge Pamela Meade Sargent on 2/8/06. (Bordwine, Robin)
02/09/2006	<u>25</u>	NOTICE of Hearing: Jury Trial RESET for June 27–29, 2006 09:00 AM in Roanoke before Judge Samuel G. Wilson. (rkc)
02/13/2006	<u>26</u>	AFFIDAVIT of Service for Subpoena <i>Duces Tecum</i> served on Generation Solutions on February 7, 2006, filed by Olver Incorporated. (Hobbs, Robert)
02/28/2006	<u>27</u>	RETURN of service of subpoena on February 13, 2006 upon Royal Caribbean (Attachments: # <u>1</u>)(Hobbs, Robert)
02/28/2006	<u>28</u>	NOTICE to Take Deposition of Equal Employment Opportunity Commission by Olver Incorporated.(Hobbs, Robert)
02/28/2006	<u>29</u>	NOTICE to Take Deposition of EEOC by Adecco USA, Inc..(Cothran, Elizabeth)
03/07/2006	<u>30</u>	NOTICE to Take Deposition of Kathleen P. Harmon by Adecco USA, Inc..(Cothran, Elizabeth)
03/08/2006	<u>31</u>	NOTICE to Take Deposition of Kathleen P. Harmon by Olver Incorporated.(Hobbs, Robert)
03/21/2006	32	Minute Entry for proceedings held before Judge Pamela Meade Sargent : Telephone Conference held on 3/21/2006 with counsel regarding possible need to reschedule discovery deposition of witness from 3/22/06. Counsel ordered that witness shall make himself available 3/22/06 or 3/28/06. (Sargent, Pamela)
04/17/2006	<u>33</u>	NOTICE by Adecco USA, Inc. of <i>Hearing</i> (Cothran, Elizabeth)
04/18/2006	<u>34</u>	NOTICE by Olver Incorporated of <i>Hearing</i> (Hobbs, Robert)
05/04/2006	<u>35</u>	MOTION for Summary Judgment by Olver Incorporated. (Hobbs, Robert)

05/04/2006	<u>36</u>	Brief / Memorandum in Support re <u>35</u> MOTION for Summary Judgment filed by Olver Incorporated. (Attachments: # <u>1</u> Dickenson Excerpt# <u>2</u> Weyer Excerpt# <u>3</u> Harmon Excerpt# <u>4</u> Veltman Excerpt# <u>5</u> Foreman Excerpt# <u>6</u> Schultz Excerpt# <u>7</u> Splitt Excerpt# <u>8</u> Sallach Excerpt# <u>9</u> Blaylock Excerpt and Exhibit)(Hobbs, Robert)
05/04/2006	<u>37</u>	MOTION for Summary Judgment by Adecco USA, Inc.. (Bagby, Thomas) Additional attachment(s) added on 5/5/2006 (rkc,).
05/04/2006	<u>38</u>	Brief / Memorandum in Support re <u>37</u> MOTION for Summary Judgment filed by Adecco USA, Inc.. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u>)(Bagby, Thomas) Additional attachment(s) added on 5/5/2006 (rkc,).
05/04/2006	<u>39</u>	Cross MOTION for Partial Summary Judgment <i>on Issue of Joint Liability</i> by Equal Employment Opportunity Commission. Responses due by 5/18/2006 (Caldwell, Stacey)
05/05/2006	40	Notice of Correction : Deleted doc #40 (filed as CROSS MOTION for Partial Summary Judgment Memo in Support by Equal Employment Opportunity Commission). Corrected and complete document will be refiled by counsel on 5/8/06. (rkc)
05/08/2006	<u>41</u>	Brief / Memorandum in Support re <u>39</u> Cross MOTION for Partial Summary Judgment <i>on Issue of Joint Liability</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Appendix Index of Exhibits# <u>2</u> Exhibit Exh 1- Pt 1- Allen Excerpt# <u>3</u> Exhibit Exh 1- Pt 2- Allen Excerpt# <u>4</u> Exhibit Exh 1- Pt 3- Allen Excerpt# <u>5</u> Exhibit Exh 2- Adecco Handbook Excerpt# <u>6</u> Exhibit Exh 3- Commitment Sheet# <u>7</u> Exhibit Exh 4- Anti-Harassment Bulletin# <u>8</u> Exhibit Exh 5- Pt 1- Weyer Excerpt# <u>9</u> Exhibit Exh 5- Pt 2- Weyer Excerpt# <u>10</u> Exhibit Exh 6- Weyer Memo# <u>11</u> Exhibit Exh 7- Splitt Excerpt# <u>12</u> Exhibit Exh 8- Smith Excerpt# <u>13</u> Exhibit Exh 9- Pt 1- EEOC Guidance# <u>14</u> Exhibit Exh 9- Pt 2- EEOC Guidance# <u>15</u> Exhibit Exh 10- Blaylock Excerpt# <u>16</u> Exhibit Exh 11- Sallach Excerpt# <u>17</u> Exhibit Exh 12- Foreman Excerpt)(Caldwell, Stacey)
05/17/2006	<u>42</u>	AMENDED NOTICE of Hearing on <u>35</u> MOTION for Summary Judgment, <u>37</u> MOTION for Summary Judgment, <u>39</u> Cross MOTION for Partial Summary Judgment <i>on Issue of Joint Liability</i> :Hearing on 5/25/2006 RESET at 09:00 AM Roanoke before Judge Samuel G. Wilson.(rkc) (Entered: 05/18/2006)
05/18/2006	<u>43</u>	Brief / Memorandum in Opposition re <u>39</u> Cross MOTION for Partial Summary Judgment <i>on Issue of Joint Liability</i> filed by Adecco USA, Inc.. (Attachments: # <u>1</u> Declaration of Richard Seamans)(Bagby, Thomas)
05/18/2006	<u>44</u>	Brief / Memorandum in Opposition re <u>37</u> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Appendix Index to Exhibits# <u>2</u> Exhibit Exh 13- Allen Pt 2# <u>3</u> Exhibit Exh 14 A- Weyer Pt 2 A# <u>4</u> Exhibit Exh 14 B- Weyer Pt 2 B# <u>5</u> Exhibit Exh 14 C- Weyer Pt 2 C# <u>6</u> Exhibit Exh 14 D- Weyer Pt 2 D# <u>7</u> Exhibit Exh 14 E- Weyer Pt 2 E# <u>8</u> Exhibit Exh 15- Smith Pt 2# <u>9</u> Exhibit Exh 16- Sallach Pt 2# <u>10</u> Exhibit Exh 17- Foreman Pt 2# <u>11</u> Exhibit Exh 18- Veltman Excerpt# <u>12</u> Exhibit Exh 19- Veltman Email# <u>13</u> Exhibit Exh 20- Splitt Pt 2# <u>14</u> Exhibit Exh 21- Adecco Cmptr Printout# <u>15</u> Exhibit Exh 22- Olver Job Annemt)(Caldwell, Stacey)
05/18/2006	<u>45</u>	Brief / Memorandum in Opposition re <u>35</u> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Caldwell, Stacey)
05/23/2006	<u>46</u>	REPLY to Response to Motion re <u>37</u> MOTION for Summary Judgment filed by Adecco USA, Inc.. (Attachments: # <u>1</u> Exhibit 1 Smith EEOC Affidavit)(Bagby, Thomas)

05/23/2006	<u>47</u>	REPLY to Response to Motion re <u>35</u> MOTION for Summary Judgment filed by Olver Incorporated. (Hobbs, Robert)
05/25/2006	<u>48</u>	Minute Entry for proceedings held before Judge Samuel G. Wilson : Motion Hearing held on 5/25/2006 re <u>35</u> MOTION for Summary Judgment filed by Olver Incorporated,, <u>37</u> MOTION for Summary Judgment filed by Adecco USA, Inc. (Court Reporter Judy Webb) (rkc)
05/26/2006	<u>49</u>	STIPULATION ORDER REGARDING WITNESS AND EXHIBIT LISTS. Signed by Judge Samuel G. Wilson on 5/26/2006. (mec,)
07/24/2006	<u>50</u>	MEMORANDUM OPINION. Signed by Judge Samuel G. Wilson on 07/24/2006. (rkc)
07/24/2006	<u>51</u>	ORDER denying <u>39</u> Motion for Partial Summary Judgment, denying <u>35</u> Motion for Summary Judgment, granting <u>37</u> Motion for Summary Judgment . Signed by Judge Samuel G. Wilson on 07/24/2006. (rkc)
08/01/2006	<u>52</u>	NOTICE of Hearing: Jury Trial RESET for October 26–27, 2006 09:00 AM in Roanoke before Judge Samuel G. Wilson. (rkc) (Entered: 08/02/2006)
10/03/2006	<u>53</u>	MOTION in Limine and Supporting Memorandum by Olver Incorporated. (Attachments: # <u>1</u> Dickenson deposition excerpt# <u>2</u> Splitt deposition excerpt# <u>3</u> Smith deposition excerpt)(Hobbs, Robert)
10/12/2006	<u>55</u>	Witness List by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Plaintiff's Witness List)(Caldwell, Stacey)
10/12/2006	<u>56</u>	Exhibit List by Equal Employment Opportunity Commission.. (Caldwell, Stacey)
10/12/2006	<u>57</u>	Witness List by Olver Incorporated. (Hobbs, Robert)
11/06/2006	<u>58</u>	RETURN of service of Subpoenas (3) on 10/18/06 (rkc)
11/06/2006	<u>59</u>	CONSENT DECREE. Signed by Judge Samuel G. Wilson on 11/06/2006. (Attachments: # <u>1</u> Exhibit A – Employee Notice)(rkc)