

CLOSED, JURY, MAG

**U.S. District Court
Eastern District of Virginia (Alexandria)
CIVIL DOCKET FOR CASE #: 1:04-cv-00746-TSE-TRJ**

Equal Employment v. Ted Britt Ford Sales
Assigned to: District Judge T. S. Ellis, III
Referred to: Magistrate Judge Thomas Rawles Jones, Jr
Demand: \$0
Case in other court: 05-01292
Cause: 29:626 Job Discrimination (Age)

Date Filed: 06/30/2004
Date Terminated: 01/14/2005
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Stacey Turner Caldwell**
Equal Employment Opportunity
Commission
830 East Main St
Suite 600
Richmond, VA 23219
(804) 771-2215
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ted Britt Ford Sales, Inc.

represented by **Rodney Gene Leffler**
Leffler & Hyland PC
4163 Chain Bridge Rd
Fairfax, VA 22030-4102
(703) 293-9300
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/30/2004	1	COMPLAINT; jury demand (otho) (Entered: 06/30/2004)
06/30/2004		Jury Trial Flag (otho) (Entered: 06/30/2004)
06/30/2004		SUMMONS(ES) issued and given to atty to serve by SPS for Ted Britt Ford Sales (otho) (Entered: 06/30/2004)
06/30/2004		CASE REFERRED to Mag Judge Thomas R. Jones Jr. (otho) (Entered: 07/01/2004)
07/01/2004	2	ORDER for Mary Jean Clickner to appear pro hac vice (signed by Judge T. S. Ellis III) Copies Mailed: yes [EOD Date: 7/6/04] (clerk) (Entered: 07/06/2004)

08/03/2004	3	ANSWER to Complaint by Ted Britt Ford Sales (Attorney Rodney Gene Leffler) (karn) (Entered: 08/04/2004)
08/11/2004	4	ORDER setting Initial Pretrial Conference for 10:00 9/1/04 Discovery Deadline for 12/10/04 Final Pretrial Conference for 11:30 12/16/04 (see order for details) (signed by Judge T. S. Ellis III) Copies Mailed: 8/12/04 (karn) (Entered: 08/12/2004)
08/11/2004		Deadline updated; Set Initial Pretrial Conference for 10:00 9/1/04 before Mag Judge Thomas R. Jones Jr. (karn) (Entered: 08/12/2004)
08/16/2004	5	SUMMONS Returned Executed as to Ted Britt Ford Sales 7/19/04 Answer due on 8/9/04 for Ted Britt Ford Sales (agil) (Entered: 08/18/2004)
08/17/2004		Deadline updated; reset Initial Pretrial Conference for 10:00 9/8/04 before Mag Judge Thomas R. Jones Jr. (agil) (Entered: 08/17/2004)
08/24/2004	6	Joint Stipulation filed by Equal Employment, Ted Britt Ford Sales for an Extension of Time for Pretrial Conference (karn) (Entered: 08/25/2004)
08/26/2004	7	ORDER granting [6-1] the stipulation and the Fed.R.Civ.P. 16(b) Pretrial Conference will be held on 9/8/04 @ 10:00 before Magistrate Judge Jones (signed by Mag Judge Thomas R. Jones Jr.) Copies Mailed: 8/26/04 [EOD Date: 8/26/04] (agil) (Entered: 08/26/2004)
09/01/2004	8	Discovery Plan by Equal Employment, Ted Britt Ford Sales (karn) (Entered: 09/01/2004)
09/08/2004	9	Rule 16(B) Scheduling Order - Pursuant to the Rule 16(B) Conference it is hereby ordered that: The Rule 26(f) report filed by the parties is approved and shall control discovery to the extent of its application unless modified by the court. (see order for details) (signed by Mag Judge Thomas R. Jones Jr.) Copies Mailed: yes (karn) (Entered: 09/09/2004)
09/10/2004	10	Rule 26 Disclosure by Ted Britt Ford Sales (LARGE PLEADING) (karn) (Entered: 09/13/2004)
09/13/2004	11	Rule 26 Disclosure by Equal Employment (LARGE PLEADING) - Signed by non-admitted atty; called atty and told to submit local counsel's signature (karn) Modified on 09/14/2004 (Entered: 09/14/2004)
09/21/2004	12	Rule 26 Disclosure by Equal Employment (karn) (Entered: 09/21/2004)
11/30/2004	13	NOTICE by Ted Britt Ford Sales to take deposition of James Crow (klau) (Entered: 12/01/2004)
12/16/2004	14	Trial Witnesses list by Equal Employment (klau) (Entered: 12/16/2004)
12/16/2004	14	Trial Documents list by Equal Employment (klau) (Entered: 12/16/2004)
12/16/2004	15	Proposed Stipulation of Uncontested Facts filed by Equal Employment (klau) (Entered: 12/16/2004)

12/16/2004		Pre-Trial Conference held before Judge Ellis (Rptr: Rodriquez). Appearances: Jean Clickner and Stacy Caldwell for Pltff; Brendon Hildon for Deft. Pltff and Deft stated they need 2 days each for their cases. Jury Trial set 10:00 2/23/05. Dec. 30 is due date for dispositive motions. Deft's wit. and exh. lists filed in court. (tbul) (Entered: 12/20/2004)
12/16/2004	16	Defendant's Rule 26(a)(3) Disclosures filed by Ted Britt Ford Sales in open court (tbul) Modified on 12/20/2004 (Entered: 12/20/2004)
12/16/2004	17	Defendant's Witness list filed in open court by Ted Britt Ford Sales (tbul) (Entered: 12/20/2004)
12/16/2004	18	ORDER, for reasons stated from the Bench, that any motions for summary judgment must be filed by 5:00 12/30/04, with responses due within time specified by the Local Rules. Further ORDERED that a jury trial is SCHEDULED for 10:00 2/23/05 (signed by Judge T. S. Ellis III) Copies Mailed: epn [EOD Date: 12/20/04] (tbul) (Entered: 12/20/2004)
12/16/2004		Jury Trial set at 10:00 2/23/05 before Judge T. S. Ellis III (tbul) (Entered: 12/20/2004)
12/22/2004	19	MOTION by Ted Britt Ford Sales for Summary Judgment (klau) (Entered: 12/22/2004)
12/22/2004	20	Brief by Ted Britt Ford Sales in support of [19-1] motion by Ted Britt Ford Sales for Summary Judgment (klau) (Entered: 12/22/2004)
12/22/2004	21	NOTICE of Hearing: Motion Hearing Deadline before Judge T. S. Ellis III set for 10:00 1/14/04 for [19-1] motion by Ted Britt Ford Sales for Summary Judgment (called counsel to re-notice) (klau) (Entered: 12/22/2004)
12/27/2004	22	NOTICE of Hearing: Motion Hearing Deadline before Judge T. S. Ellis III set for 10:00 1/14/05 for [19-1] motion by Ted Britt Ford Sales for Summary Judgment (agil) (Entered: 12/28/2004)
01/03/2005	23	OBJECTIONS by Ted Britt Ford Sales to [14-1] exhibits list by Equal Employment (klau) (Entered: 01/03/2005)
01/04/2005	24	(ADDENDUM) Trial Documents List by Equal Employment (klau) (Entered: 01/04/2005)
01/04/2005	24	(ADDENDUM) Trial Witnesses by Equal Employment (klau) (Entered: 01/04/2005)
01/07/2005	25	Request filed by defendant Ted Britt Ford Sales for entry of [19-1] motion by Ted Britt Ford Sales for Summary Judgment without further hearing or argument (clar) (Entered: 01/07/2005)
01/10/2005	26	RESPONSE by Equal Employment in opposition to [19-1] motion by Ted Britt Ford Sales for Summary Judgment (large pleading) (clar) (Entered: 01/10/2005)
01/10/2005	27	MOTION by Equal Employment to file response in opposition to deft's

		motion for summary judgment out of time (clar) (Entered: 01/10/2005)
01/10/2005	28	MOTION by Equal Employment to file response in opposition to deft's motion for summary judgment out of time (clar) (Entered: 01/10/2005)
01/10/2005	29	Brief by Equal Employment in support of [28-1] motion by Equal Employment to file response in opposition to deft's motion for summary judgment out of time (clar) (Entered: 01/10/2005)
01/10/2005	30	MOTION by Ted Britt Ford Sales, Equal Employment to Move Trial Date (klau) (Entered: 01/10/2005)
01/11/2005	31	NOTICE of Hearing: Motion Hearing Deadline before Judge T. S. Ellis III set for 10:00 1/21/05 for [28-1] motion by Equal Employment to file response in opposition to deft's motion for summary judgment out of time, set for 10:00 1/21/05 for [27-1] motion by Equal Employment to file response in opposition to deft's motion for summary judgment out of time (klau) (Entered: 01/11/2005)
01/12/2005	32	REPLY BRIEF by Ted Britt Ford Sales in support of [19-1] motion by Ted Britt Ford Sales for Summary Judgment (stas) (Entered: 01/12/2005)
01/14/2005		Motion hearing held re: [30-1] motion by Ted Britt Ford Sales, Equal Employment to Move Trial Date by Ted Britt Ford Sales, Equal Employment, [28-1] motion by Equal Employment to file response in opposition to deft's motion for summary judgment out of time by Equal Employment, [27-1] motion by Equal Employment to file response in opposition to deft's motion for summary judgment out of time by Equal Employment, [19-1] motion by Ted Britt Ford Sales for Summary Judgment by Ted Britt Ford Sales before Judge T. S. Ellis, III (Rptr: Rodriquez a.m.; Linnell p.m.). Mo. to file out of time - granted; mo. to cont. trial date - moot. Motion for summary judgment heard, findings stated and granted. Jury notified. (tbul) (Entered: 01/14/2005)
01/14/2005	33	ORDER, for reasons stated from the Bench, GRANTING the [28-1; 27-1] motion by Equal Employment to file response in opposition to deft's motion for summary out of time, and Plaintiff's opposition is DEEMED filed; GRANTING the [19-1] motion by Ted Britt Ford Sales for Summary Judgment; and DENYING as moot the [30-1] motion by Britt Ford Sales, Equal Employment to Move Trial Date (signed by Judge T. S. Ellis III) Copies Mailed: epn [EOD Date: 1/19/05] (tbul) (Entered: 01/19/2005)
01/14/2005		Case closed (tbul) (Entered: 01/19/2005)
01/24/2005	34	Bill of costs in the amount of 1884.55 by Ted Britt Ford Sales (klau) (Entered: 01/24/2005)
01/24/2005	35	TRANSCRIPT for the date of 1.14.05 (motions) (agil) (Entered: 01/24/2005)
01/28/2005	36	BRIEF In Opposition by Equal Employment to [34-1] Bill of Costs by Ted Britt Ford Sales (klau) (Entered: 01/28/2005)

01/31/2005	37	Response by Ted Britt Ford Sales to [36-1] opposition to Bill of Costs by Equal Employment (klau) (Entered: 01/31/2005)
02/02/2005	38	Application by Ted Britt Ford Sales for Attorney Fees (clar) (Entered: 02/02/2005)
02/02/2005	39	Brief by Ted Britt Ford Sales in support of [38-1] motion by Ted Britt Ford Sales for Attorney Fees (clar) (Entered: 02/02/2005)
02/02/2005	40	NOTICE of Hearing: Motion Hearing Deadline before Judge T. S. Ellis III set for 10:00 2/11/05 for [38-1] motion by Ted Britt Ford Sales for Attorney Fees (clar) (Entered: 02/02/2005)
02/07/2005	41	MOTION by Equal Employment for extension of time to respond to defts motion for attorney's fees (clar) (Entered: 02/08/2005)
02/08/2005	42	ORDER GRANTING the [41-1] motion by Equal Employment for extension of time to respond to defts motion for attorney's fees, and DIRECTING Pltff to file any response to the motion for attorney's fees by 5:00 2/22/05 and Deft to file any reply by 5:00 2/25/05. Thereafter, the matter will be decided without further oral argument (signed by Judge T. S. Ellis III) Copies Mailed: yes + called counsel [EOD Date: 2/8/05] (tbul) (Entered: 02/08/2005)
02/08/2005		Per TSE chambers motions set for 2/11/05 on papers (clar) (Entered: 02/08/2005)
02/18/2005	43	BRIEF by Equal Employment in opposition to [38-1] motion by Ted Britt Ford Sales for Attorney Fees (kjon) (Entered: 02/22/2005)
02/22/2005	44	REPLY BRIEF in support by Ted Britt Ford Sales of [38-1] motion by Ted Britt Ford Sales for Attorney Fees (klau) (Entered: 02/23/2005)
02/28/2005	45	ORDER denying [38-1] motion by Ted Britt Ford Sales for Attorney Fees. It is further ORDERED that Ted Britt's entire bill of costs is ALLOWED. It is further ORDERED denying [36-1] EEOC's objections to Ted Britt's bill of costs. The Clerk is directed to send a copy of this Order to all counsel of record and to place this matter among the ended causes. (signed by Judge T. S. Ellis III) Copies Mailed: y [EOD Date: 3/1/05] (klau) (Entered: 03/01/2005)
03/11/2005	46	NOTICE OF APPEAL OF [33-1] order dated 1/14/05 by Equal Employment. Copy sent to USCA. Copies sent to Equal Employment, Ted Britt Ford Sales (mcke) (Entered: 03/14/2005)
03/21/2005		USCA Case Number Re: [46-1] appeal by Equal Employment CASE MANAGER: Deborah Davenport USCA NUMBER: 05-1292 (kjon) (Entered: 03/21/2005)
03/29/2005	47	Certification of completion sent to USCA re: [46-1] appeal by Equal Employment (kjon) (Entered: 03/29/2005)
04/26/2005	48	JUDGMENT OF USCA (certified copy) of USCA. Appellant has filed a consent motion to dismiss. The court dismisses this re: [46-1] appeal,

upon such terms as have been agreed to by the parties, pursuant to rule 42 (b) of the FRofAP. The clerk of this court will issue a certified copy of this order to the clerk of the district court as and for the mandate. (mcke) (Entered: 04/26/2005)

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