

CLOSED, JURYDEMAND

**U.S. District Court
WESTERN DISTRICT OF WASHINGTON (Seattle)
CIVIL DOCKET FOR CASE #: 2:98-cv-00525-WLD**

Van Nguyen, et al v. American Seafoods Co, et al
Assigned to: William L Dwyer
Demand: \$0
Lead case: [2:98-cv-00525-WLD](#) ([View Member Cases](#))
Case in other court: King Cnty Sup Ct, 98-00002-08044-
2SEA
Cause: 28:1441 Petition for Removal- Civil Rights Act

Date Filed: 04/22/1998
Jury Demand: Defendant
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Don Van Nguyen

represented by **Bradley H. Bagshaw**
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Plaintiff

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Plaintiff

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Plaintiff

Thao Van Doan

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

Binh Nguyen

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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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Counter Claimant

American Seafoods Company

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V.

Counter Defendant

Don Van Nguyen

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Counter Defendant

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Huong Dang

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Counter Defendant

Thao Van Doan

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Counter Defendant

Quang Huynh

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Counter Defendant

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Counter Defendant

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Counter Defendant

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Counter Defendant

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Counter Defendant**Be Vo**

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Intervenor**Equal Employment Opportunity
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Date Filed	#	Docket Text
04/22/1998	1	NOTICE of petition for REMOVAL by defendant American Seafoods Co from King County Superior Court, Case Number: 98-2-08044-2SEA Receipt No. 250680 (MD) (Entered: 04/27/1998)
04/22/1998	2	DECLARATION of Stephen C. Smith re: removal petition [1-1] (MD) (Entered: 04/27/1998)
04/23/1998	3	NOTICE by defendant to pltf of verified removal w/attachments (MD) (Entered: 04/27/1998)
04/27/1998	4	NOTICE by plaintiff of taking depo of Custodian of Virginia Mason Occupational Medicine on 5/4/98 at 9:30 a.m. (MD) (Entered: 04/28/1998)
04/27/1998	5	AFFIDAVIT OF SERVICE by plaintiff of notice deposition [4-1] (MD) (Entered: 04/28/1998)
04/27/1998	6	DEMAND for JURY TRIAL by defendant American Seafoods Co (MD) (Entered: 04/28/1998)
05/04/1998	7	ORDER by Judge William L. Dwyer regarding discovery and depositions (cc: counsel, Judge) (MD) (Entered: 05/04/1998)
05/04/1998	8	ORDER by Judge William L. Dwyer ; joint status report ddl set for 5/23/98 (cc: counsel, Judge) (MD) (Entered: 05/04/1998)
05/15/1998	9	ANSWER to complaint [1-2] and COUNTERCLAIM by defendant American Seafoods Co against plaintiff Don Van Nguyen, plaintiff Hung Chu, plaintiff Huong Dang, plaintiff Thao Van Doan, plaintiff Quang Huynh, plaintiff Trung Hieu, plaintiff Sau Le, plaintiff Binh Nguyen, plaintiff Dieu Nguyen, plaintiff Liem Pham, plaintiff Phan Thuan,

		plaintiff Giau Tran, plaintiff Danh Truong, plaintiff Be Vo, plaintiff Minh Vo, plaintiff Hung Van Xuong, plaintiff Minh Van Xuong (MD) (Entered: 05/18/1998)
05/22/1998	10	JOINT STATUS REPORT filed by all parties. Est. Trial Days: 21 (RS) (Entered: 05/22/1998)
06/12/1998	11	ORDER by Judge William L. Dwyer setting trial and related dates. Last date for adding new parties is 7/13/98; discovery ddl set for 3/1/99 ; mtn filing ddl set for 4/8/99 ; motions in limine due 5/20/99; pretrial order ddl set for 6/3/99 ; pretrial conf set for 10:00 6/7/99 ; trial brief ddl set for 6/24/99 ; Voir dire/jy inst set for 6/24/99 ; jury trial set for 6/29/99 (cc: counsel, Judge) (MD) (Entered: 06/15/1998)
06/12/1998	12	ORDER by Judge William L. Dwyer ; 39.1 designation effective now, settlement conference of cnsl must be held not later than 2/15/99 (cc: counsel, Judge) (MD) (Entered: 06/15/1998)
06/25/1998	13	ANSWER TO COUNTERCLAIM [9-2] by counter-defendants (MD) (Entered: 06/29/1998)
09/21/1998	14	MOTION ex parte to intervene re: EEOC (MD) (Entered: 09/22/1998)
09/21/1998	15	MEMORANDUM in support of motion to intervene re: EEOC [14-1] (MD) (Entered: 09/22/1998)
09/21/1998	16	DECLARATION of Lisa A. Morelli in support of motion to intervene re: EEOC [14-1] (MD) (Entered: 09/22/1998)
09/21/1998		LODGED ORDER: re: motion to intervene re: EEOC [14-1] (MD) (Entered: 09/22/1998)
09/21/1998		PROPOSED complaint in intervention re: motion to intervene re: EEOC [14-1] (MD) (Entered: 09/22/1998)
09/21/1998	17	AFFIDAVIT OF SERVICE of motion to intervene re: EEOC [14-1] (MD) (Entered: 09/22/1998)
09/23/1998	18	ORDER by Judge William L. Dwyer GRANTING motion to intervene re: EEOC [14-1] intervenor EEOC (cc: counsel, Judge) (MD) (Entered: 09/23/1998)
09/23/1998	19	COMPLAINT: Intervention by intervenor EEOC (MD) (Entered: 09/23/1998)
10/07/1998	20	COMPLAINT: Intervention by intervenor EEOC. Jury Trial demanded. (MD) (Entered: 10/08/1998)
10/07/1998	21	DECLARATION OF SERVICE of personal service of summons and complaint executed upon defendant American Seafoods Co on 10/7/98 (MD) (Entered: 10/08/1998)
11/10/1998	22	ORDER by Judge William L. Dwyer case consolidated 2:98-cv-525 with member cases 2:98-cv-1099. All pleadings to be filed in C98-525WD. (cc: counsel, Judge) (MD) (Entered: 11/10/1998)

12/09/1998	23	ANSWER to by defendant American Seafoods Co in 2:98-cv-00525 to complaint in intervention (MD) (Entered: 12/10/1998)
01/05/1999		LODGED ORDER: protective order (MD) (Entered: 01/06/1999)
01/07/1999	24	MOTION by plaintiffs' in 2:98-cv-00525 to compel NOTED FOR 1/22/99 (MD) (Entered: 01/08/1999)
01/07/1999	25	DECLARATION of Bradley H. Bagshaw re motion to compel [24-1] w/attachments (MD) (Entered: 01/08/1999)
01/07/1999		LODGED ORDER: re: motion to compel [24-1] (MD) (Entered: 01/08/1999)
01/07/1999	26	AFFIDAVIT OF SERVICE by plaintiff in 2:98-cv-00525 of motion to compel [24-1] (MD) (Entered: 01/08/1999)
01/11/1999	27	PROTECTIVE ORDER by Judge William L. Dwyer : (cc: counsel, Judge) (MD) (Entered: 01/11/1999)
01/14/1999	28	MOTION by plaintiff in 2:98-cv-00525 to compel deposition attendance in seattle NOTED FOR 1/19/99 (MD) (Entered: 01/15/1999)
01/14/1999	29	DECLARATION of Bradley H. Bagshaw in support of pltf's motion to compel deposition attendance in seattle [28-1] (MD) (Entered: 01/15/1999)
01/14/1999		LODGED ORDER: re: motion to compel deposition attendance in seattle [28-1] (MD) (Entered: 01/15/1999)
01/14/1999	30	MOTION by plaintiff in 2:98-cv-00525 to shorten time on [30-1] motion to compel deposition attendance in seattle [28-1] NOTED FOR 1/19/99 (MD) (Entered: 01/15/1999)
01/14/1999		LODGED ORDER: re: motion to shorten time on motion to compel deposition attendance in seattle [28-1] [30-1] (MD) (Entered: 01/15/1999)
01/19/1999	31	ORDER by Judge William L. Dwyer GRANTING motion to shorten time on motion to compel deposition attendance in seattle [28-1] [30-1];i RE-NOTED FOR 1/22/99 motion to compel deposition attendance in seattle [28-1] (cc: counsel, Judge) (MD) (Entered: 01/19/1999)
01/19/1999	32	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in opposition to motion to compel deposition attendance in seattle [28-1], to motion to compel [24-1] (dktclk) (Entered: 01/20/1999)
01/21/1999	33	REPLY by plaintiff in 2:98-cv-00525 re: motion to compel [28-1] [24-1] (MD) (Entered: 01/22/1999)
01/21/1999	35	NOTICE by plaintiff in 2:98-cv-00525 of taking depo of Tor Storkerson on 1/22/99 at 11:00 a.m. (MD) (Entered: 01/22/1999)
01/21/1999	36	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in opposition to motion to compel deposition attendance in seattle

		[28-1] (MD) (Entered: 01/25/1999)
01/22/1999	34	NOTICE by plaintiff in 2:98-cv-00525 of taking depo of Mark Whitten on 2/17/99 at 9:30 a.m.; Jan Pederson on 2/18/99 at 9:30 a.m. (MD) (Entered: 01/22/1999)
02/04/1999	37	ORDER by Judge William L. Dwyer re: pltfs' motions to compel [28-1] [24-1]. Dft is ordered to answer pltfs' first interr 8 and first requests for production 1,2,4, 5,10,11,14 and 17 by 2/16/99. Additional items of disc re: interr no 4 and 5 are to be provided by 2/16/99. The depositions of Whitten and Pedersen will be taken after the Ocean Rover arrives in Seattle, presumably the first week of April, 1999. As to those two depositions only, the disc completion date is extended (cc: counsel, Judge) (KERR) (Entered: 02/04/1999)
02/05/1999		LODGED ORDER: stipulated motion and order extending discovery deadline (MD) (Entered: 02/08/1999)
02/08/1999	38	STIPULATION and ORDER by Judge William L. Dwyer extending discovery deadline. Discovery ddl extended to 4/1/99 (cc: counsel, Judge) (MD) (Entered: 02/08/1999)
04/08/1999	39	MOTION by plaintiffs in 2:98-cv-00525 for partial summary judgment on the application of state law NOTED FOR 4/30/99 (MD) (Entered: 04/09/1999)
04/08/1999		LODGED ORDER: re: motion for partial summary judgment on the application of state law [39-1] (MD) (Entered: 04/09/1999)
04/08/1999	40	MOTION by plaintiff in 2:98-cv-00525 for partial summary judgment dismissing deft's counterclaims NOTED FOR 4/30/99 (MD) (Entered: 04/09/1999)
04/08/1999		LODGED ORDER: re: motion for partial summary judgment dismissing deft's counterclaims [40-1] (MD) (Entered: 04/09/1999)
04/08/1999	41	MOTION by plaintiff in 2:98-cv-00525 for partial summary judgment on certain contract claims NOTED FOR 4/30/99 (MD) (Entered: 04/09/1999)
04/08/1999		LODGED ORDER: re: motion for partial summary judgment on certain contract claims [41-1] (MD) (Entered: 04/09/1999)
04/08/1999	42	DECLARATION of Bradley H. Bagshaw re motion for partial summary judgment on certain contract claims [41-1], re motion for partial summary judgment dismissing deft's counterclaims [40-1], re motion for partial summary judgment on the application of state law [39-1] (MD) (Entered: 04/09/1999)
04/08/1999	43	PRAECIPE: by plaintiff in 2:98-cv-00525 re: first amended complaint (MD) (Entered: 04/09/1999)
04/08/1999	44	AFFIDAVIT OF SERVICE by plaintiff in 2:98-cv-00525 of motion for partial summary judgment on the application of state law [39-1] et al

		(MD) (Entered: 04/09/1999)
04/29/1999	45	NOTICE that the following is RE- NOTED FOR 5/7/99 motion for partial summary judgment on certain contract claims, RE-NOTED FOR 5/7/99 motion for partial summary judgment dismissing deft's counterclaims, RE- NOTED FOR 5/7/99 motion for partial summary judgment on the application of state law (MD) (Entered: 05/03/1999)
05/03/1999	46	RESPONSE by defendant American Seafoods Co in 2:98-cv-00525 to pltf's motion for partial summary judgment on the application of state law [39-1] (MD) (Entered: 05/04/1999)
05/03/1999	47	RESPONSE by defendant American Seafoods Co in 2:98-cv-00525 stipulating to motion for partial summary judgment dismissing deft's counterclaims for damages to staterooms and in opposition to pltf's motion for partial sj dismissing countercliam for lost production [40-1] (MD) (Entered: 05/04/1999)
05/03/1999	48	DECLARATION of Jodi A. McDougall re: motion response [47-1] (MD) (Entered: 05/04/1999)
05/03/1999		LODGED ORDER: re: order dismissing deft's counterclaim for damages to staterooms and denying pltf's motion for partial sj dismissing counterclaims for lost production [47-1] (MD) (Entered: 05/04/1999)
05/03/1999	49	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in opposition to pltf's motion for partial summary judgment on certain contract claims [41-1] (MD) (Entered: 05/04/1999)
05/03/1999	50	DECLARATION of Julie Howell re: memorandum [49-1] (MD) (Entered: 05/04/1999)
05/03/1999	51	DECLARATION of Steven C. Davis re: memorandum [49-1] (MD) (Entered: 05/04/1999)
05/03/1999		LODGED ORDER: re: order denying pltf's motion for partial sj on certain contract claims[49-1] (MD) (Entered: 05/04/1999)
05/03/1999	52	DECLARATION of Suzanne Kelly in support of defts memorandum in opposition to pltf's motion for partial summary judgment on the application of state law [39-1] (MD) (Entered: 05/04/1999)
05/03/1999		LODGED ORDER: re: denying pltf's motion for partial sj on application of state law [52-1] (MD) (Entered: 05/04/1999)
05/04/1999	53	DECLARATION of Tammy French re motion for partial summary judgment dismissing deft's counterclaims [40-1] (MD) (Entered: 05/05/1999)
05/04/1999	54	DECLARATION of Tammy French re motion for partial summary judgment on certain contract claims [41-1] (MD) (Entered: 05/05/1999)
05/06/1999	55	REPLY by plaintiff in 2:98-cv-00525 re: motion for partial sj on certain contract claims [41-1] (MD) (Entered: 05/07/1999)

05/06/1999	56	REPLY by plaintiff in 2:98-cv-00525 re: motion for partial sj dismissing deft's counterclaims [40-1] (MD) (Entered: 05/07/1999)
05/06/1999	57	DECLARATION of Scott E. Collins re: reply [56-1] (MD) (Entered: 05/07/1999)
05/06/1999	58	REPLY by plaintiff in 2:98-cv-00525 re: motion for partial sj on the applications of state law [39-1] (MD) (Entered: 05/07/1999)
05/06/1999	59	AFFIDAVIT OF SERVICE by plaintiff in 2:98-cv-00525 of reply [55-1] (MD) (Entered: 05/07/1999)
05/20/1999	60	MOTION by plaintiff in 2:98-cv-00525 in limine NOTED FOR 6/4/99 (MD) (Entered: 05/21/1999)
05/20/1999		LODGED ORDER: re: motion in limine [60-1] (MD) (Entered: 05/21/1999)
05/20/1999	61	MOTION by defendant American Seafoods Co in 2:98-cv-00525 in limine regarding excluding EEOC, or in the alternative excluding any reference to EEOC as a pltf et al NOTED FOR 6/4/99 (MD) (Entered: 05/21/1999)
05/20/1999	62	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in limine regarding excluding reference to potential insurance coverage [61-1] (MD) (Entered: 05/21/1999)
05/20/1999	63	DECLARATION of Suzanne Kelly Michale re: memorandum [62-1] (MD) (Entered: 05/21/1999)
05/20/1999	64	MOTIONS by defendant in 2:98-cv-00525 in limine NOTED FOR 6/4/99 (MD) (Entered: 05/21/1999)
05/20/1999	65	MEMORANDUM by defendant in 2:98-cv-00525 in support of motion in limine re: bifurcation [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	66	MEMORANDUM by defendant in 2:98-cv-00525 in support of motion in limine to exclude evidence regarding drug and alcohol use at trial [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	67	DECLARATION of Suzanne Kelly re: memorandum [66-1] (MD) (Entered: 05/21/1999)
05/20/1999	68	MEMORANDUM by defendant in 2:98-cv-00525 in support of motion in limine to exclude unrelated claims from evidence at trial [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	69	DECLARATION of Suzanne Kelly Michael re motion in limine [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	70	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in support of motion in limine to exclude evidence that Richard Koski was fined for drinking alcohol [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	71	DECLARATION of Suzanne Kelly Michael re: memorandum [70-1]

		(MD) (Entered: 05/21/1999)
05/20/1999	72	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in support of motion in limine re: excluding size, status or wealth of ASC [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	73	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in support of motion in limine re: excluding "African Friends" Petition [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	74	DECLARATION of Suzanne Kelly Michael re: memorandum [73-1] (MD) (Entered: 05/21/1999)
05/20/1999	75	MEMORANDUM by defendant American Seafoods Co in 2:98-cv-00525 in support of motion in limine re: exclude pltfs or permit videotape testimony [64-1] (MD) (Entered: 05/21/1999)
05/20/1999	76	DECLARATION of Suzanne Kelly Michael re: memorandum [75-1] (MD) (Entered: 05/21/1999)
05/20/1999	77	AFFIDAVIT OF SERVICE by defendant American Seafoods Co in 2:98-cv-00525 of motion in limine [64-1] (MD) (Entered: 05/21/1999)
05/21/1999	78	AFFIDAVIT OF SERVICE OF DEPOSITION SUBPOENA of EEOC on 5/20/99 (MD) (Entered: 05/24/1999)
05/28/1999	79	MEMORANDUM by intervenor EEOC in 2:98-cv-00525 in opposition to deft's motion in limine regarding excluding EEOC, or in the alternative excluding any reference to EEOC as a pltf et al [61-1] (MD) (Entered: 06/01/1999)
06/01/1999	80	ORDER by Judge William L. Dwyer GRANTING pltfs' motion for partial summary judgment on certain contract claims [41-1], GRANTING pltfs' motion for partial summary judgment dismissing deft's counterclaims [40-1], GRANTING pltfs' motion for partial summary judgment on the application of state law [39-1] (cc: counsel, Judge) (MD) (Entered: 06/01/1999)
06/01/1999	81	MEMORANDUM by plaintiff in 2:98-cv-00525 in opposition to deft's motion in limine [64-1], to deft's motion in limine regarding excluding EEOC, or in the alternative excluding any reference to EEOC as a pltf et al [61-1] (MD) (Entered: 06/02/1999)
06/01/1999	82	AFFIDAVIT of Scott E. Collins re: memorandum [81-1] (MD) (Entered: 06/02/1999)
06/01/1999	83	AFFIDAVIT OF SERVICE by plaintiff in 2:98-cv-00525 of memorandum [81-1] (MD) (Entered: 06/02/1999)
06/02/1999		MAIL RETURNED: re: motion in limine [64-1] addressed to A Luis Lucero Jr in 2:98-cv-00525 (MD) (Entered: 06/03/1999)
06/04/1999	84	AFFIDAVIT OF SERVICE of memorandum [81-1] (MD) (Entered: 06/07/1999)

06/07/1999	85	MINUTE ORDER: by Judge William L. Dwyer ; per request, pretrial order ddl cont to 6/10/99 ; pretrial conf cont to 10:00 6/10/99 (cc: counsel, Judge) (MD) (Entered: 06/08/1999)
06/09/1999	86	NOTICE by defendant American Seafoods Co in 2:98-cv-00525 of ASSOCIATION OF ATTORNEY Jay H Zulauf, John H Chun (dktclk) (Entered: 06/09/1999)
06/10/1999		LODGED ORDER: agreed pretrial order (MD) (Entered: 06/11/1999)
06/10/1999	91	MINUTES: WLD; Dep Clerk: Eileen; CR: none; Pla Counsel Brad Bagshaw; Def Counsel Stephen Smith et al . Pretrial conference held on 6/10/99. Jury trial cont to 11/9/99 Clerk to issue scheduling order (MD) (Entered: 06/14/1999)
06/11/1999	87	PRE-TRIAL ORDER approved by Judge William L. Dwyer : (cc: counsel, Judge) (MD) (Entered: 06/11/1999)
06/11/1999	88	ORDER by Judge William L. Dwyer GRANTING pltf's motion in limine [60-1] (cc: counsel, Judge) (MD) (Entered: 06/11/1999)
06/11/1999	89	ORDER by Judge William L. Dwyer Granted in Part and Denied in part deft's motion to bifurcate (cc: counsel, Judge) (MD) (Entered: 06/11/1999)
06/11/1999	90	ORDER by Judge William L. Dwyer GRANTED IN PART AND DENIED IN PART DEFT'S motion in limine [64-1], GRANTED IN PART AND DENIED IN PART DEFT's motion in limine regarding excluding EEOC, or in the alternative excluding any reference to EEOC as a pltf et al [61-1] (cc: counsel, Judge) (MD) (Entered: 06/11/1999)
06/11/1999	92	ORDER by Judge William L. Dwyer ; trial brief ddl extended to 11/4/99 ; Voir dire/jy inst extended to 11/4/99 ; jury trial extended to 11/9/99 (cc: counsel, Judge) (MD) (Entered: 06/14/1999)
06/29/1999	93	MINUTE ORDER: by Judge William L. Dwyer ; pretrial conf cont to 8:30 10/20/99 (cc: counsel, Judge) (MD) (Entered: 07/01/1999)
09/20/1999	94	AFFIDAVIT OF SERVICE to proposed consent decree (MD) (Entered: 09/21/1999)
09/21/1999	95	CONSENT DECREE by Judge William L. Dwyer (cc: counsel, Judge, Jgm. Book) Entered on: 9/21/99 (MD) (Entered: 09/21/1999)
09/21/1999	96	ORDER OF DISMISSAL by Judge William L. Dwyer : Counsel having notified the Court of settlement of this case, and it appearing that no issue remains for the Court's determination, IT IS ORDERED that this action and all claims asserted herein are DISMISSED with prejudice and without costs to any party. In the event that settlement is not perfected, any party may move to reopen the case within 45 days of the date of this order (cc: counsel, Judge) (MD) (Entered: 09/22/1999)

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