

CLOSED

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:00-cv-00283-TJC**

EEOC v. Gannett Satellite In, et al
Assigned to: Senior Judge Thomas J Curran
Demand: \$0
Case in other court: 02-1684
USCA EEOC 03/19/02, :02- -01684
Cause: 42:2000 American Disabilities Act

Date Filed: 02/23/2000
Date Terminated: 12/07/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Dennis R McBride**
United States Equal Employment
Opportunity Commission
Milwaukee District Office
310 W Wisconsin Ave - Ste 800
Milwaukee, WI 53203-2292
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V.

Defendant

Gannett Company Inc
TERMINATED: 07/23/2001
doing business as
Green Bay Press-Gazette

represented by **Mark A Johnson**
Krukowski & Costello SC
7111 W Edgerton Ave
PO Box 28999
Milwaukee, WI 53220
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 TERMINATED: 07/23/2001
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 TERMINATED: 07/23/2001
 LEAD ATTORNEY
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Defendant

Gannett Satellite Information Network
 doing business as
 Green Bay Press-Gazette

represented by **Mark A Johnson**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

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Date Filed	#	Docket Text
02/23/2000	1	COMPLAINT (Summons(es) issued); jury demand Consent Forms Distributed for Magistrate Judge Patricia J. Gorence (eeb,)
03/21/2000	2	ATTORNEY APPEARANCE for defendant Gannett Company Inc by Timothy G Costello, Mark A Johnson (tlf,)
03/21/2000	3	CERTIFICATE OF INTEREST by defendant Gannett Company Inc (tlf,)

03/21/2000	4	REFUSAL to Consent to Proceed before Magistrate Judge by defendant Gannett Company Inc (tlf,)
03/21/2000	5	CERTIFICATE OF SERVICE by defendant Gannett Company Inc (tlf,)
04/24/2000	6	NOTICE OF MOTION and MOTION by defendant Gannett Company Inc to dismiss (tlf,) (Entered: 04/25/2000)
04/24/2000	7	BRIEF by defendant Gannett Company Inc in support of motion to dismiss [6-1] (tlf,) (Entered: 04/25/2000)
04/24/2000	8	CERTIFICATE OF SERVICE by defendant Gannett Company Inc (tlf,) (Entered: 04/25/2000)
05/15/2000	9	BRIEF by plaintiff EEOC in opposition to motion to dismiss [6-1] (tlf,) (Entered: 05/16/2000)
05/26/2000	10	REPLY BRIEF by defendant Gannett Company Inc in support of motion to dismiss [6-1] (tlf,) (Entered: 05/30/2000)
07/26/2000	11	DECISION AND ORDER: by Senior Judge Thomas J. Curran denying motion to dismiss [6-1]; ordering defendant to file an answer to the complaint within 10 days of the date of this order (cc: all counsel) (tlf,) (Entered: 07/27/2000)
08/04/2000	12	ANSWER by defendant Gannett Company Inc to [1-1]; jury demand (tlf,) (Entered: 08/07/2000)
08/04/2000	13	CERTIFICATE OF SERVICE by defendant Gannett Company Inc (tlf,) (Entered: 08/07/2000)
08/08/2000	14	NOTICE of hearing by the Court ; telephone scheduling conference set for 9:00 10/12/00 (cc: all counsel) (tlf,) (Entered: 08/09/2000)
10/12/2000	15	HEARING MINUTES: by Senior Judge Thomas J. Curran ; amended pleadings ddl set for 12/1/00 ; discovery ddl set for 4/1/01 ; motion filing ddl set for 6/15/01 ; settlement report due 4/10/01; plaintiff to disclose experts by 3/1/01, defendant by 4/15/01; expert discovery ddl 5/15/01; pretrial conference set for 8:45 10/25/01 ; jury trial set for 9:30 11/26/01 (6/28/02, 3/11/02) est 4 days; status hearing held 10/12/00 (tlf,) (Entered: 10/13/2000)
10/13/2000	16	ORDER by Senior Judge Thomas J. Curran SEE 10/12/00 Hearing Minutes (cc: all counsel) (tlf,)
02/28/2001	17	NOTICE OF MOTION AND MOTION by plaintiff EEOC for protective order (eeb,) (Entered: 03/01/2001)
02/28/2001	18	BRIEF by plaintiff EEOC in support of motion for protective order [17-1] (eeb,) (Entered: 03/01/2001)
02/28/2001	19	CERTIFICATION of compliance with Fed. R. Civ.P. 26(c) and AFFIDAVIT of Dennis R. McBride in support of plaintiffs motion for protective order filed by plaintiff (eeb,) Modified on 03/01/2001 (Entered: 03/01/2001)
02/28/2001	20	CERTIFICATE OF SERVICE by plaintiff EEOC (eeb,) (Entered: 03/01/2001)
03/02/2001	21	ORDER by Senior Judge Thomas J. Curran setting hearing on motion for protective order [17-1] at 11:00 a.m. on 3/9/01. FURTHER ORDERED that the

		defendant shall serve and file a response in chambers on or before 5:00 p.m. on 3/6/01. (cc: all counsel) (eeb,)
03/06/2001	22	NOTICE OF MOTION AND MOTION by defendant Gannett Company Inc for order directing Rule 35(a) mental examination of Janet Gilliland (eeb,) (Entered: 03/07/2001)
03/06/2001	23	BRIEF by defendant Gannett Company Inc in support of motion for order [22-1] and in opposition to plaintiffs motion for protective order. (eeb,) (Entered: 03/07/2001)
03/06/2001	23	BRIEF by defendant Gannett Company Inc in opposition to motion for protective order [17-1] (eeb,) (Entered: 03/07/2001)
03/06/2001	24	AFFIDAVIT of Mark A. Johnson in support of motion for Rule 35(a) examination of Janet Gilliland and in opposition to plaintiffs motion for protective order w/attached exhibits (eeb,) (Entered: 03/07/2001)
03/06/2001	25	CERTIFICATE OF SERVICE by defendant Gannett Company Inc (eeb,) (Entered: 03/07/2001)
03/08/2001	26	REPLY BRIEF by plaintiff EEOC in support of motion for protective order [17-1] (tlf,) (Entered: 03/12/2001)
03/09/2001	27	HEARING MINUTES: by Senior Judge Thomas J. Curran that the court denies motion of plaintiff to prohibit examination of Ms. Dillon by Dr. Spiro; examine is restricted to 4 hours. Court grants motion to compel. Court orders that disclosure of Dr. Spiro's report be made to both parties. Plaintiffs ask that order be stayed for at least a week. Court will stay both exam and publishing of order until Wednesday at 5:00 p.m., March 14, 2001. Court Reporter: John S. (eeb,) (Entered: 03/13/2001)
03/09/2001	28	ORDER by Senior Judge Thomas J. Curran denying in part and granting in part motion for order [22-1] directing Rule 35(a) Mental Examination of Janet Gilliland, denying in part and granting in part motion for protective order [17-1] (cc: all counsel) (eeb,) (Entered: 03/13/2001)
04/18/2001	29	ORDER by Senior Judge Thomas J. Curran Case referred to Mag Judge Patricia J. Gorence for the purpose of conducting mediation before the deadline for the filing of dispositive motions on 6/15/01. (cc: all counsel) (eeb,) (Entered: 04/19/2001)
04/20/2001	30	ORDER by Mag Judge Patricia J. Gorence Mediation/Settlement Conference set for 10:00 a.m. on 5/30/01 (cc: all counsel) (cms,)
05/30/2001	31	HEARING MINUTES: by Mag Judge Patricia J. Gorence Mediation/Settlement Conference held on 5/30/01 Court conducts a mediation. Parties are unable to reach a settlement at this time. (cms,) (Entered: 05/31/2001)
06/04/2001	32	LETTER from plaintiff EEOC in regards to the Mediation (cms,)
06/15/2001	33	NOTICE OF MOTION AND MOTION by defendant Gannett Company Inc for summary judgment (eeb,)
06/15/2001	34	BRIEF by defendant Gannett Company Inc in support of motion for summary judgment [33-1] (eeb,)

06/15/2001	35	PROPOSED Findings of Fact submitted by defendant Gannett Company Inc in support of its motion for summary judgment (eeb,)
06/15/2001	36	AFFIDAVIT of Patricia A. Lauten (eeb,)
06/15/2001	37	AFFIDAVIT of William T. Nusbaum (eeb,)
06/15/2001	38	AFFIDAVIT of Mark A. Johnson w/attached exhibits (eeb,)
06/15/2001	39	CERTIFICATE OF SERVICE by defendant Gannett Company Inc (eeb,)
07/16/2001	40	MOTION by plaintiff EEOC for order for CONFIDENTIALLY of Summary Judgment Materials (eeb,) (Entered: 07/17/2001)
07/16/2001	41	CERTIFICATE OF SERVICE by plaintiff EEOC (eeb,) (Entered: 07/17/2001)
07/23/2001	42	STIPULATION and ORDER FOR AMENDMENT OF COMPLAINT AND ANSWER by Senior Judge Thomas J. Curran : substituting "Gannett Satellite Information Network, Inc." in place of "Gannett Company, Inc." , the Answer shall be amended to withdraw the defendants fifth affirmative (undue hardship) defense. terminating party Gannett Company Inc (cc: all counsel) (eeb,) (Entered: 07/25/2001)
07/23/2001	43	ORDER by Senior Judge Thomas J. Curran denying motion for order for CONFIDENTIALLY of Summary Judgment Materials [40-1]. The plaintiff has provided no legal basis for its request to seal the materials which relate to the claims the plaintiffs has put into issue. (cc: all counsel) (eeb,) (Entered: 07/25/2001)
07/23/2001	44	RESPONSE by plaintiff EEOC to defendants proposed findings of fact and plaintiffs statement of facts in opposition to defendants motion for summary judgment. (eeb,) (Entered: 07/26/2001)
07/23/2001	45	BRIEF by plaintiff EEOC in opposition to motion for summary judgment [33-1] (eeb,) (Entered: 07/26/2001)
07/23/2001	46	AFFIDAVIT of Dennis R. McBride in opposition to defendants motion for summary judgment w/attached exhibits. (eeb,) (Entered: 07/26/2001)
08/03/2001	47	REPLY BRIEF by defendant Gannett Satellite in support of motion for summary judgment [33-1] (eeb,) (Entered: 08/06/2001)
08/03/2001	48	REPLY by defendant Gannett Satellite to plaintiffs response to defendants proposed findings of fact and plaintiffs statement of facts in opposition to defendants motion for summary judgment. (eeb,) (Entered: 08/06/2001)
08/03/2001	49	SUPPLEMENTAL AFFIDAVIT of Mark A. Johnson (eeb,) (Entered: 08/06/2001)
08/03/2001	50	CERTIFICATE OF SERVICE by defendant Gannett Satellite (eeb,) (Entered: 08/06/2001)
09/17/2001	51	DECISION AND ORDER: by Senior Judge Thomas J. Curran denying deft's motion for summary judgment [33-1] (cc: all counsel) (kmm,) (Entered: 09/18/2001)
10/22/2001	52	PRETRIAL REPORT by plaintiff EEOC (eeb,) (Entered: 10/23/2001)

10/22/2001	53	PRETRIAL REPORT by defendant Gannett Satellite (eeb,) (Entered: 10/23/2001)
10/22/2001	54	PROPOSED Jury Instructions submitted by defendant Gannett Satellite (eeb,) (Entered: 10/23/2001)
10/22/2001	55	PROPOSED Voir Dire Questions submitted by defendant Gannett Satellite (eeb,) (Entered: 10/23/2001)
10/22/2001	56	PROPOSED Verdict Form submitted by defendant Gannett Satellite (eeb,) (Entered: 10/23/2001)
10/22/2001	57	CERTIFICATE OF SERVICE by defendant Gannett Satellite (eeb,) (Entered: 10/23/2001)
11/08/2001	58	MOTIONS by defendant Gannett Satellite (Green Bay Press-Gazette) in limine (eeb,) Modified on 11/08/2001
11/08/2001	59	AFFIDAVIT of Mark A. Johnson in support of deft Gannett Satellite Information Network, Inc. (Green Bay Press-Gazette) (eeb,)
11/08/2001	60	CERTIFICATE OF SERVICE by defendant Gannett Satellite (Green Bay Press-Gazette) (eeb,)
11/09/2001	61	MOTION by plaintiff EEOC to exclude testimony of Herzl Spiro, M.D. (eeb,)
11/09/2001	62	MOTIONS by plaintiff EEOC in limine (eeb,)
11/09/2001	63	AFFIDAVIT of Dennis R. McBride in support of plaintiffs motions in limine and plaintiffs motion to exclude testimony of Herzl Spiro, M.D. w/attached exhibits (eeb,)
11/09/2001	64	MOTION by plaintiff EEOC for leave to exceed page limit (eeb,)
11/09/2001	65	AMENDED TRIAL EXHIBIT list by plaintiff EEOC (eeb,)
11/09/2001	66	CERTIFICATE OF SERVICE by plaintiff EEOC (eeb,)
11/13/2001	67	REVISED AMENDED TRIAL EXHIBIT list by plaintiff EEOC (eeb,)
11/14/2001	68	AMENDED PRETRIAL REPORT by defendant Gannett Satellite (eeb,) (Entered: 11/15/2001)
11/14/2001	69	CERTIFICATE OF SERVICE by defendant Gannett Satellite (eeb,) (Entered: 11/15/2001)
11/14/2001	70	ORDER by Senior Judge Thomas J. Curran granting motion for leave to exceed page limit [64-1] IT IS FURTHER ORDERED that the parties shall serve and file responses to all motions in limine on or before 11/21/01. The defendant may file a brief of ten pages or less in response to the plaintiffs Motion to Exclude Testimony of Herzl Spiro, M.D. (cc: all counsel) (eeb,) (Entered: 11/16/2001)
11/16/2001	71	LETTER REQUEST by plaintiff EEOC requesting a clarification from the court concerning the procedure for the trial of this case, which is scheduled to begin on Monday, November 26, 2001. (eeb,) (Entered: 11/19/2001)
11/16/2001	72	ORIGINAL Document - plaintiffs counter designation to the deposition of Julia M. Wilke. (eeb,) (Entered: 11/19/2001)

11/19/2001	73	SECOND AMENDMENT by defendant Gannett Satellite to its pretrial report (eeb,) (Entered: 11/20/2001)
11/21/2001	74	MOTION by plaintiff EEOC for leave to file motion in limine regarding police report w/attached motion in limine (eeb,)
11/21/2001	75	AFFIDAVIT of Dennis R. McBride in support of plfts motion regarding motion in limine (eeb,)
11/21/2001	76	AFFIDAVIT of Dennis R. McBride in support of plfts opposition to defts motions in limine (eeb,)
11/21/2001	77	BRIEF by plaintiff EEOC in opposition to defts motions in limine [58-1] (eeb,)
11/21/2001	78	MOTION by plaintiff EEOC for order regarding fact-finder on backpay issue (eeb,)
11/21/2001	79	CERTIFICATE OF SERVICE by plaintiff EEOC (eeb,)
11/21/2001	80	BRIEF by defendant Gannett Satellite in opposition to motion in limine [62-1], to motion to exclude testimony of Herzl Spiro, M.D. [61-1] (eeb,) (Entered: 11/23/2001)
11/21/2001	81	AFFIDAVIT of Patricia A. Lauten w/attached exhibits (eeb,) (Entered: 11/23/2001)
11/21/2001	82	CERTIFICATE OF SERVICE by defendant Gannett Satellite (eeb,) (Entered: 11/23/2001)
11/23/2001	83	ORIGINAL DEPOSITION of Steven Cywinski (w/attached exhibits) taken on the following date(s): 3/20/01 at 10:32 a.m. in Stevens Point, WI. This deposition will be used as noted in the pretrial report. ORIGINAL IN CHAMBERS (eeb,) Modified on 11/23/2001
11/23/2001	84	BRIEF by defendant Gannett Satellite in opposition to motion in limine [62-1] (eeb,)
11/23/2001	85	BRIEF by defendant Gannett Satellite in opposition to motion for order regarding fact-finder on backpay issue [78-1] (eeb,)
11/23/2001	86	AFFIDAVIT of Mark A. Johnson (eeb,)
11/23/2001	87	CERTIFICATE OF SERVICE by defendant Gannett Satellite (eeb,)
11/26/2001	90	HEARING MINUTES: by Senior Judge Thomas J. Curran jury trial started 11/26/01; 11/27/01; 11/28/01; 11/29/01 and adjourned on 11/30/01 , ; jury trial held 11/26/01 Court Reporter: John S. (eeb,) (Entered: 12/04/2001)
11/26/2001	96	STIPULATION by the parties regarding exhibits contained in certain documents filed in this case. (eeb,) (Entered: 12/10/2001)
11/26/2001	97	STIPULATION by the parties regarding amount of potential backpay claim (eeb,) (Entered: 12/10/2001)
11/29/2001	88	MEMORANDUM OF LAW filed by plaintiff EEOC regarding Episodic Conditions and Employers Knowledge of Disabilities. (eeb,)
11/29/2001	89	PROPOSED Additional Jury Instructions submitted by plaintiff EEOC (eeb,)

11/30/2001	91	SPECIAL VERDICT (eeb,) (Entered: 12/04/2001)
12/04/2001	92	EXHIBITS received for plaintiff EEOC, defendant Gannett Satellite ; exhibit list filed (eeb,)
12/07/2001	93	ORDER by Senior Judge Thomas J. Curran granting motion for order regarding fact-finder on backpay issue [78-1], granting motion for leave to file motion in limine regarding police report w/attached motion in limine [74-1], granting in part and denying in part motion in limine [62-1], denying motion to exclude testimony of Herzl Spiro, M.D. [61-1], granting in part and denying in part motion in limine [58-1] (cc: all counsel) (eeb,) (Entered: 12/10/2001)
12/07/2001	94	ORDER FOR JUDGMENT by Senior Judge Thomas J. Curran that the Clerk of Court shall enter a final judgment as a separate document. (cc: all counsel) (eeb,) (Entered: 12/10/2001)
12/07/2001	95	JUDGMENT: by Deputy Clerk that plaintiff Equal Employment Opportunity Commission take nothing and that this action brought against Gannett Satellite Information Network, Inc., d/b/a Green Bay Press-Gazette is dismissed upon its merits. dismissing case (cc: all counsel) (eeb,) (Entered: 12/10/2001)
12/11/2001	98	MOTION by plaintiff EEOC for new trial , and for summary judgment on failure-to-accommodate claim (eeb,)
12/11/2001	99	BRIEF by plaintiff EEOC in support of motion for new trial [98-1], of motion for summary judgment on failure-to-accommodate claim [98-2] (eeb,)
12/31/2001	100	BRIEF by defendant Gannett Satellite in opposition to motion for new trial [98-1], to motion for summary judgment on failure-to-accommodate claim [98-2] (tlf,) (Entered: 01/02/2002)
01/15/2002	101	REPLY BRIEF by plaintiff EEOC in support of motion for new trial [98-1], motion for summary judgment on failure-to-accommodate claim [98-2] (eeb,)
01/22/2002	102	DECISION AND ORDER: by Senior Judge Thomas J. Curran denying motion for new trial [98-1], denying motion for summary judgment on failure-to-accommodate claim [98-2] (cc: all counsel) (eeb,) (Entered: 01/23/2002)
02/01/2002	103	AFFIDAVIT of Patricia A. Lauten w/attached exhibits. (eeb,) (Entered: 02/04/2002)
02/04/2002		BILL OF COSTS proposed by defendant Gannett Satellite Briefing letter mailed (eeb,)
02/19/2002	104	OBJECTIONS by plaintiff EEOC to defendants Proposed Bill of Costs (eeb,)
02/19/2002	105	AFFIDAVIT of Dennis R. McBride in support of plaintiffs objections to defendants bill of costs (eeb,)
02/26/2002	106	RESPONSE by defendant Gannett Satellite to plaintiff's objections to defendant's bill of costs (eeb,) (Entered: 02/27/2002)
02/26/2002	107	SUPPLEMENTAL AFFIDAVIT of Patricia A. Lauten (eeb,) (Entered: 02/27/2002)

03/05/2002	108	REPLY by plaintiff EEOC to defendants response to plaintiffs objections to defendants bill of costs. (eeb,)
03/06/2002	109	Notification of Exhibit Release sent to counsel of record for plaintiff and defendant (eeb,)
03/19/2002	110	Appeal Notice to USCA by plaintiff EEOC from USDC Order [93-1], Order for Judgment [94-1], Judgment [95-1], and Order denying motion for new trial and amendment of judgment [102-1] (cc: all counsel) (tlf,) (Entered: 03/20/2002)
03/20/2002		SHORT RECORD Transmitted to USCA Re: Notice of Appeal [110-1] filed 3/19/22 (cc: all counsel) (tlf,)
03/20/2002	111	TRANSCRIPT of Jury Trial held 11/26/01 at 9:30 a.m., Vol. 1 of 5, pages 1-239. (eeb,) (Entered: 03/21/2002)
03/20/2002	112	TRANSCRIPT of Jury Trial held 11/27/01, at 9:00 a.m., Vol. 2 of 5, pages 240-504. (eeb,) (Entered: 03/21/2002)
03/20/2002	113	TRANSCRIPT of Jury Trial held 11/28/01 at 9:00 a.m., Vol. 3 of 5, pages 505-771. (eeb,) (Entered: 03/21/2002)
03/20/2002	114	TRANSCRIPT of Jury Trial held 11/29/01 at 10:15 a.m., Vol. 4 of 5, pages 772-911. (eeb,) (Entered: 03/21/2002)
03/20/2002	115	TRANSCRIPT of Jury Trial Held 11/30/01 at 1:30 p.m., Vol. 5 of 5, pages 912-992. (eeb,) (Entered: 03/21/2002)
03/21/2002	116	COSTS taxed for defendant Gannett Satellite by Chief Deputy Clerk in the amount of \$ 11,412.83 against plaintiff EEOC (cc: all counsel) (eeb,) (Entered: 03/22/2002)
03/27/2002		Re: Notice of Appeal [110-1] filed 3/19/02 Appeal Number: 02-1684 received from USCA (tlf,)
03/28/2002	117	Designation of Record on Appeal by defendant Gannett Satellite To include item numbers 16,53-54,56,58-59,68,73, 80-81,83-84,86,90-91,93,100, and 102 (tlf,) (Entered: 03/29/2002)
03/29/2002	118	Designation of Record on Appeal by plaintiff EEOC To include item numbers 98,99,101,46,63,75-76,53,65 and 67 (tlf,) Modified on 04/08/2002 (Entered: 04/08/2002)
07/11/2002	119	MANDATE/CERTIFIED COPY from the USCA USCA Number: 02-1684 dismissing the appeal [110-1] upon consideration of appellant's motion to dismiss; NO RECORD FILED (tlf,) (Entered: 07/12/2002)
09/26/2002	120	Notification of Exhibit Release sent to counsel of record for plaintiff & defendant (eeb,)
10/04/2002		EXHIBITS for defendant Gannett Satellite destroyed. No response to notification received. (eeb,)
10/16/2002		EXHIBITS for plaintiff EEOC destroyed. No response to notification received. (eeb,)

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06/07/2007 13:12:45			
PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	2:00-cv-00283-TJC
Billable Pages:	6	Cost:	0.48
