

CLOSED, E-FILE, PROTO

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:04-cv-00875-WCG**

Equal Employment Opportunity Commission v. Schneider
National Inc
Assigned to: Judge William C Griesbach
Case in other court: Seventh Circuit, 06-3108
USCA EEOC 07/31/06, 06-3108
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/13/2004
Date Terminated: 06/01/2006
Jury Demand: Plaintiff
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
414-297-4188
Fax: 414-297-3146
Email: dennis.mcbride@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jean P Kamp
United States Equal Employment
Opportunity Commission
Milwaukee District Office
310 W Wisconsin Ave - Ste 800
Milwaukee, WI 53203-2292
414-297-1112
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosemary J Fox
United States Equal Employment
Opportunity Commission
Milwaukee District Office
310 W Wisconsin Ave - Ste 800
Milwaukee, WI 53203-2292
414-297-4131
Fax: 414-297-3146
Email: rosemary.fox@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Schneider National Inc**

represented by **Alison B Willard**
 Seyfarth Shaw LLP
 131 S Dearborn St - Ste 2400
 Chicago, IL 60603-5577
 312-460-5000
 Fax: 312-460-7000
 Email: abwillard@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A Casciari
 Seyfarth Shaw LLP
 131 S Dearborn St - Ste 2400
 Chicago, IL 60603-5577
 312-460-5000
 Fax: 312-460-7000
 Email: mcasciari@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James L Curtis
 Seyfarth Shaw LLP
 131 S Dearborn St - Ste 2400
 Chicago, IL 60603-5577
 312-460-5000
 Fax: 312-460-7000
 Email: jcurtis@seyfarth.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/13/2004	<u>1</u>	COMPLAINT (Summons(es) issued) against Schneider National Inc. Consent Forms Distributed for Magistrate Judge Patricia Gorence. E-File Notification Distributed. jury demand; (Filing fee \$ 150) filed by Equal Employment Opportunity Commission.(cms,) Modified on 9/16/2004 to attach document disk received from filer (cms,). (Entered: 09/14/2004)
09/15/2004	<u>2</u>	REFUSAL of Consent to Jurisdiction by US Magistrate Judge by Equal Employment Opportunity Commission (cms,) (Entered: 09/16/2004)
09/15/2004		Case reassigned to Judge Lynn Adelman. Judge Patricia J Gorence no longer assigned to the case due to non-consent. (cms,) (Entered: 09/16/2004)
11/11/2004	<u>3</u>	ANSWER to Complaint by Schneider National Inc.(Curtis, James)

11/11/2004	4	MOTION to Transfer Case to Eastern District of Wisconsin, Green Bay Division by Schneider National Inc. (Curtis, James)
11/11/2004	5	BRIEF in Support re 4 MOTION to Transfer Case to Eastern District of Wisconsin, Green Bay Division filed by Schneider National Inc. (Curtis, James)
11/11/2004	6	CERTIFICATE of Interest by Schneider National Inc. (Curtis, James)
11/23/2004	7	RESPONSE to Motion re 4 MOTION to Transfer Case to Eastern District of Wisconsin, Green Bay Division filed by Equal Employment Opportunity Commission. (McBride, Dennis)
11/30/2004	8	REPLY BRIEF in Support re 4 MOTION to Transfer Case to Eastern District of Wisconsin, Green Bay Division filed by Schneider National Inc. (Curtis, James)
02/01/2005	9	ORDER signed by Judge Lynn Adelman on 2/1/05 granting 4 Motion to Transfer Case to Green Bay Division . (cc: all counsel) (Wesolek, Marie)
02/01/2005		Case REASSIGNED to Judge William C Griesbach. Judge Lynn Adelman no longer assigned to the case. (djd) (Entered: 02/02/2005)
02/04/2005	10	NOTICE of Hearing: Rule 16 Scheduling Conference set for 3/4/2005 09:15 AM before Judge William C Griesbach. (cc: all counsel)(mec,)
02/28/2005	11	REPORT of Rule 26(f) Plan <i>Joint Report Under Fed. R. Civ. P. 26(f)</i> by all plaintiffs (McBride, Dennis)
03/04/2005	12	Minute Entry for proceedings held before Judge William C Griesbach : Scheduling Conference held on 3/4/2005. Initial Disclosures due by 3/18/2005. Factual Discovery due by 9/14/2005. Expert Discovery 11/23/2005. Plaintiffs Expert Witness List due by 7/1/2005. Defendants Expert Witness List due by 8/12/2005. Motions due by 1/13/2006, response due 2/10/2006, reply due 3/3/2006.By agreement of the parties, the plaintiff may defer disclosure of its damages and vocational experts until February 13,2006 (if no dispositive summary judgment motions are filed) or 30 days after the court rules on dispositive summary judgment motions, in which case the defendant shall disclose its damages and vocational experts within 45 days thereafter and discovery of all damages and vocational experts shall be completed within 60 days after the defendant's disclosure. (mec,) (Entered: 03/08/2005)
03/08/2005	13	SCHEDULING ORDER: signed by Judge William C Griesbach on March 8, 2005. (cc: all counsel)(Griesbach, William)
04/07/2005	14	MOTION for Protective Order by Schneider National Inc. (Attachments: # 1)(Willard, Alison)
04/11/2005	15	PROTECTIVE ORDER signed by Judge William C Griesbach on 4/11/2005. (cc: all counsel)(Griesbach, William)
05/20/2005	16	MOTION to Compel by all plaintiffs. (McBride, Dennis)
05/20/2005	17	DOCKETED IN ERROR as MOTION to Compel <i>Brief</i> by all plaintiffs. (McBride, Dennis) Modified on 7/6/2005 to reflect incorrect event docketed.(mec,).

05/20/2005	18	BRIEF IN SUPPORT re 16 Motion to Compel DOCKETED AS REPLY BRIEF in Support re 17 MOTION to Compel <i>Brief Memorandum in Support of Plaintiff's Motion to Compel Discovery Responses</i> filed by all parties. (McBride, Dennis) Modified on 7/6/2005 to reflect correct docketing event and link to correct motion (mec,).
05/20/2005	19	AFFIDAVIT of Dennis R. McBride <i>in Support of Plaintiff's Motion to Compel Discovery Responses</i> (McBride, Dennis) Additional attachment(s) added on 5/31/2005 (mec,).
05/20/2005	20	CERTIFICATE OF SERVICE by all parties (McBride, Dennis)
05/25/2005	21	Docket Annotation: E-mail to Mr. McBride. Unable to access and attach exhibits to entry 19 . Send new disk. (cav,)
06/06/2005	22	First MOTION for Extension of Time <i>to File Response to Plaintiff's Motion to Compel</i> by Schneider National Inc. (Attachments: # 1 Affidavit)(Willard, Alison)
06/07/2005		MARGIN ORDER granting 22 First MOTION for Extension of Time to File Response to Plaintiff's Motion to Compel filed by Schneider National Inc., signed by Judge William C. Griesbach on 06-07-2005. Defendant may file its response, if any, to plaintiff's motion to compel discovery responses on or before June 17, 2005. (cc: all counsel)(Griesbach, William)
06/17/2005	23	RESPONSE to Motion re 16 MOTION to Compel filed by Schneider National Inc. (Attachments: # 1 Exhibit)(Willard, Alison)
06/28/2005	24	REPLY BRIEF in Support re 16 Motion to Compel INCORRECTLY LINKED TO 17 MOTION to Compel <i>Brief Reply Memorandum in Support of Plaintiff's Motin to Compel Discovery Responses</i> filed by all plaintiffs. (McBride, Dennis) Modified on 7/6/2005 to reflect link to correct motion. (mec,).
07/06/2005	25	Docket Annotation. CMECF email sent to Attorney McBride regarding docketing event. (mec,)
07/20/2005	26	MOTION to Exclude <i>Plaintiff's Experts</i> by Schneider National Inc. (Willard, Alison)
07/20/2005	27	DUPLICATE ENTRY SEE DOCUMENT 28 BRIEF in Support re 26 MOTION to Exclude <i>Plaintiff's Experts</i> filed by Schneider National Inc. (Willard, Alison) Modified on 7/21/2005 duplicate entry (mec,).
07/20/2005	28	BRIEF in Support re 26 MOTION to Exclude <i>Plaintiff's Experts</i> filed by Schneider National Inc. (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit)(Willard, Alison)
07/20/2005	29	7.4 EXPEDITED MOTION to Hold Deadline for Disclosure of Defendant's Expert Witnesses in Abeyance DOCKETED AS MOTION to Expedite - <i>Rule 7.4 Expedited Non-Dispositive Motion to Hold Deadline for Disclosure of Defendant's Expert Witnesses in Abeyance</i> by Schneider National Inc. (Willard, Alison) Modified on 7/21/2005 to reflect 7.4 motion (mec,).
07/21/2005	30	Docket Annotation. CMECF to Attorney Allison Willard regarding docketing event used for Document 29 . (mec,)

08/01/2005		MARGIN ORDER granting 29 Rule 7.4 Expedited Non-Dispositive Motion to Hold Deadline for Disclosure of Defendant's Expert Witnesses in Abeyance filed by Schneider National Inc., signed by Judge William C. Griesbach on 08-01-2005. No response to 29 has been received by the plaintiff. Therefore, this Court holds the deadline for defendant's disclosure of expert witnesses in accordance with Civil L.R. 26.1(a) and (b) in abeyance for 30 days following the Court's ruling on defendant's Motion to Exclude. (cc: all counsel)(Griesbach, William)
08/02/2005	31	BRIEF in Opposition re 26 MOTION to Exclude <i>Plaintiff's Experts Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Exclude Plaintiff's Experts</i> filed by all plaintiffs. (McBride, Dennis)
08/02/2005	32	DECLARATION of Dennis R. McBride in Opposition to Defendant's Motion to Exclude Plaintiff's Experts (McBride, Dennis)
08/02/2005	33	CERTIFICATE OF SERVICE by all plaintiffs (McBride, Dennis)
08/02/2005	34	BRIEF <i>Plaintiff's Memorandum in Opposition to Defendant's Rule 7.4 Non-Dispositive Motion to Hold Deadline for Disclosure of Defendant's Expert Witnesses in Abeyance</i> filed by all plaintiffs. (McBride, Dennis)
08/02/2005	35	ORDER granting in part and denying in part 16 Motion to Compel signed by Judge William C Griesbach on August 2, 2005. The motion is granted in that Schneider is ordered to respond to Request No. 11, as limited herein, and Request No. 17 within thirty days of this order. The motion is denied in that Schneider need not respond to Request Nos. 15 and 16 at this time, but may await the outcome of the summary judgment motions on the issue of liability. (cc: all counsel) (Griesbach, William) (Entered: 08/03/2005)
08/16/2005	36	REPLY BRIEF in Support re 26 MOTION to Exclude <i>Plaintiff's Experts</i> filed by Schneider National Inc. (Willard, Alison)
09/08/2005	37	STIPULATION <i>Regarding Authentication of Documents</i> by all parties (McBride, Dennis)
09/09/2005	38	Docket Annotation: E-mail to Mr McBride regarding docket entry 37 . Proposed order should be sent to proposed order mailbox. (cav,)
09/09/2005		MARGIN ORDER approving 37 Stipulation filed by Equal Employment Opportunity Commission, and Schneider National, Inc. signed by Judge William C. Griesbach on 09-09-2005. (cc: all counsel)(Griesbach, William)
11/04/2005	39	ORDER denying 26 Motion to Exclude signed by Judge William C Griesbach on November 4, 2005. (cc: all counsel) (Griesbach, William)
01/09/2006	40	STIPULATION <i>for Extension of Time for Dispositive Pretrial Motions</i> by all parties (Willard, Alison)
01/10/2006	41	ORDER APPROVING 40 Stipulation filed by Equal Employment Opportunity Commission and Schneider National Inc signed by Judge William C Griesbach on January 10, 2006. Dispositive Motion deadline by 1/20/2006; responses due by 2/17/2006; replies due by 3/10/2006. (cc: all counsel)(Griesbach, William)
01/20/2006	42	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission (McBride, Dennis)

01/20/2006	43	MOTION for Summary Judgment <i>Plaintiff's</i> by Equal Employment Opportunity Commission. (McBride, Dennis)
01/20/2006	44	BRIEF in Support re 43 MOTION for Summary Judgment <i>Plaintiff's Memorandum of Law in Support of Plaintiff's Motion for SJ</i> filed by Equal Employment Opportunity Commission. (McBride, Dennis)
01/20/2006	45	Proposed Findings of Fact by Equal Employment Opportunity Commission (McBride, Dennis)
01/20/2006	46	DECLARATION of Jerome T. Hoefner (McBride, Dennis)
01/20/2006	47	DECLARATION of Dennis R. McBride <i>IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT</i> (Attachments: # 1 # 2 # 3 # 4 # 5 # 6 # 7 # 8 # 9 # 10 # 11 # 12 # 13 # 14 # 15 # 16 # 17 # 18 # 19 # 20 # 21 # 22 # 23 # 24 # 25 # 26 # 27 # 28 # 29 # 30 # 31 # 32 # 33 # 34 # 35 # 36)(McBride, Dennis)
01/20/2006	48	MOTION for Summary Judgment <i>on Liability</i> by Schneider National Inc. (Willard, Alison)
01/20/2006	49	BRIEF in Support re 48 MOTION for Summary Judgment <i>on Liability</i> filed by Schneider National Inc. (Willard, Alison)
01/20/2006	50	APPENDIX by Schneider National Inc <i>of Documentary Evidence and Other Material in Support of Its Motion for Summary Judgment</i> (Attachments: # 1 Exhibit Tab A Hoefner Dep# 2 Exhibit Tab B Hyer Dep# 3 Exhibit Tab C Sullivan Dep# 4 Exhibit Tab D Hinz Dep# 5 Exhibit Tab E Benditt Dep# 6 Exhibit Tab F Capodice Dep# 7 Exhibit Tab G Gellin Decl# 8 Exhibit Tab H Jadin Aff# 9 Exhibit Tab I Dep Exhs 1# 10 Exhibit Tab I Dep Exhs 2# 11 Exhibit Tab I Dep Exhs 3# 12 Exhibit Tab I Dep Exhs 4# 13 Exhibit Tab I Dep Exhs 5# 14 Exhibit Tab I Dep Exhs 6# 15 Exhibit Tab J Unpublished Opinions 1# 16 Exhibit Tab J Unpublished Opinions 2# 17 Exhibit Tab J Unpublished Opinions 3)(Willard, Alison)
01/21/2006	51	Proposed Findings of Fact by Schneider National Inc (Willard, Alison)
01/23/2006	52	Docket Annotation. CMECF Email sent to Dennis McBride in reference to electronic signature regarding 46 Declaration. (mec,)
01/23/2006	53	MOTION for Leave to File <i>Defendant's Local Rule 56.2(a) Proposed Findings of Fact Instanter</i> by Schneider National Inc. (Willard, Alison)
01/24/2006		MARGIN ORDER granting 53 MOTION for Leave to File Defendant's Local Rule 56.2(a) Proposed Findings of Fact Instanter filed by Schneider National Inc., signed by Judge William C. Griesbach on 01-24-2006. (cc: all counsel)(Griesbach, William)
02/17/2006	54	BRIEF in Opposition re 48 MOTION for Summary Judgment <i>on Liability Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment</i> filed by all plaintiffs. (McBride, Dennis)
02/17/2006	55	Proposed Findings of Fact by all plaintiffs (McBride, Dennis)

02/17/2006	56	RESPONSE to Motion re 48 MOTION for Summary Judgment <i>on Liability Plaintiff's Response to Defendant's Proposed Findings of Fact in Opposition to Defendant's Motion for Summary Judgment</i> filed by all plaintiffs. (McBride, Dennis)
02/17/2006	57	CERTIFICATE OF SERVICE by all plaintiffs (McBride, Dennis)
02/17/2006	58	RESPONSE to Motion re 43 MOTION for Summary Judgment <i>Plaintiff's and in Support of Schneider's Motion for Summary Judgment</i> filed by Schneider National Inc. (Willard, Alison)
02/17/2006	59	RESPONSE to Motion re 43 MOTION for Summary Judgment <i>Plaintiff's Response to Plaintiff's Proposed Findings of Fact and Additional Facts Precluding Summary Judgment for Plaintiff</i> filed by Schneider National Inc. (Willard, Alison)
02/17/2006	60	APPENDIX by Schneider National Inc <i>of Documentary Evidence and Other Material in Support of Its Additional Facts Precluding Summary Judgment for Plaintiff</i> (Attachments: # 1 Exhibit Dr. Scott Miller Expert Report# 2 Exhibit Dr. Scott Miller Deposition Transcript# 3 Exhibit Dr. Scott Miller Deposition Corrections# 4 Exhibit Unpublished opinions cited in Defendant's Response)(Willard, Alison)
03/10/2006	61	CERTIFICATE OF SERVICE by all plaintiffs (McBride, Dennis)
03/10/2006	62	REPLY BRIEF in support of 43 MOTION for Summary Judgment DOCKETED AS REPLY BRIEF in Support re 48 MOTION for Summary Judgment <i>on Liability Reply Memorandum in Support of Plaintiff's Motion for Summary Judgment</i> filed by all plaintiffs. (McBride, Dennis) Modified on 3/13/2006 to reflect corrected association to plaintiff's motion (mec,).
03/10/2006	63	RESPONSE to Motion re 53 MOTION for Leave to File <i>Defendant's Local Rule 56.2(a) Proposed Findings of Fact Instanter Plaintiff's Reply to Defendant's Response to Proposed Findings of Fact in Support of Plaintiff's Motion for Summary Judgment and Response to Defendant's Additional Proposed Findings of Fact</i> filed by all plaintiffs. (McBride, Dennis)
03/10/2006	64	REPLY BRIEF in Support re 48 MOTION for Summary Judgment <i>on Liability</i> filed by Schneider National Inc. (Attachments: # 1 Exhibit Tab A, unpublished opinion Piano v. Ameritech/SBC)(Willard, Alison)
03/10/2006	65	RESPONSE to Motion re 43 MOTION for Summary Judgment <i>Plaintiff's Defendant's Response to Plaintiff's Second Proposed Findings of Fact</i> filed by Schneider National Inc. (Willard, Alison)
05/31/2006	66	DECISION AND ORDER signed by Judge William C. Griesbach on 05-31-2006 denying 43 Plaintiff's Motion for Summary Judgment and granting 48 Defendant's Motion for Summary Judgment. See Decision and Order for full detail. (cc: all counsel) (Griesbach, William)
06/01/2006	67	JUDGMENT signed by Deputy Clerk and approved by Judge William C Griesbach on 05/31/06. (cc: all counsel)(cav,)

06/13/2006	68	BILL OF COSTS Proposed by Schneider National Inc (Attachments: # 1 Appendix Itemization and Documentation)(Willard, Alison)
06/14/2006	69	BRIEFING LETTER Mailed to Parties (cav,)
07/18/2006	70	COSTS TAXED for Schneider National Inc by Chief Deputy Clerk in amount of \$5,014.79 against Equal Employment Opportunity Commission. (cc: all counsel) (cav,)
07/31/2006	71	NOTICE OF APPEAL (facsimilie) as to 67 Judgment by Equal Employment Opportunity Commission. (cc: all counsel) (mec,)
07/31/2006	72	CERTIFICATE OF SERVICE (facsimilie) by Equal Employment Opportunity Commission. (mec,)
07/31/2006	75	ORIGINAL DOCUMENT re 71 Notice of Appeal. (mec,) (Entered: 08/02/2006)
07/31/2006	76	ORIGINAL DOCUMENT re 72 Certificate of Service. (mec,) (Entered: 08/02/2006)
08/01/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 71 Notice of Appeal. (mec,)
08/01/2006	73	MOTION to Stay <i>Payment of Costs</i> by Equal Employment Opportunity Commission. (McBride, Dennis)
08/01/2006	74	DECLARATION of Dennis R. McBride in Support of Plaintiff-Appellant's Motion to Stay Payment of Costs (McBride, Dennis)
08/04/2006	77	RESPONSE to Motion re 73 MOTION to Stay <i>Payment of Costs</i> filed by Schneider National Inc. (Casciari, Mark)
08/07/2006	78	RESPONSE to Motion re 73 MOTION to Stay <i>Payment of Costs Reply Memorandum in Support of Plaintiff-Appellant's Motion to Stay Payment of Costs</i> filed by Equal Employment Opportunity Commission. (McBride, Dennis)
08/07/2006	79	NOTICE OF DOCKETING for USCA Case Number 06-3108 Seventh Circuit re: 71 Notice of Appeal filed by Equal Employment Opportunity Commission. (mec,)
08/09/2006	80	ORDER signed by Judge William C. Griesbach on 08-09-2006, granting 73 Motion to Stay. The EEOC's motion for a stay is GRANTED and the payment of costs willbe stayed pending its appeal. (cc: all counsel) (Griesbach, William)
08/09/2006		Appeal Record Prepared re 71 Notice of Appeal. (mec,)
08/16/2006	81	NOTICE of Change of Address by Mark A Casciari (Casciari, Mark)
10/24/2006	82	LETTER from Mark A. Casciari <i>Requesting Appellate Record</i> . (Casciari, Mark)
01/08/2007	83	Appeal Record Request received from 7th Cir. Re: USCA Case Number 06-3108. (mec)
01/08/2007		Certified Record on Appeal Transmitted to US Court of Appeals consisting of 1 Volume of Pleadings, 8 Loose Pleadings (Dkt. #s 19, 23, 28, 32, 47, 50 (Part 1), 50 (Part 2), 60 re 71 Notice of Appeal. (cc: all counsel) (mec)

05/31/2007		Appeal Record Returned consisting of 1 Volume of Pleadings, 8 Volumes of Loose Pleadings re 71 Notice of Appeal. (mec)
05/31/2007	84	USCA Mandate (certified copy) as to 71 Notice of Appeal filed by Equal Employment Opportunity Commission for USCA Number 06-3108. USCA AFFIRMED the decision of the district court. (Attachments: # 1 Slip Opinion)(mec)

PACER Service Center

Transaction Receipt

02/07/2008 12:13:15

PACER Login:	wu0079	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	2:04-cv-00875-WCG
Billable Pages:	5	Cost:	0.40