

21, 23, CLASS, CLOSED, REFER

U.S. District Court
United States District Court for the Central District of Illinois (Urbana)
CIVIL DOCKET FOR CASE #: 2:04-cv-02209-HAB-DGB

Equal Employment Opportunity Commission v. Federal Express
Corp
Assigned to: Judge Harold A. Baker
Referred to: Magistrate Judge David G. Bernthal
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/29/2004
Date Terminated: 04/04/2007
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jeanne B Szromba**
UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION
500 W Madison
Ste 2800
Chicago, IL 60661
312-353-7546
Fax: 312-353-8555
Email: jeanne.szromba@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John C Hendrickson
EEOC
Equal Employment Opportunity
Commission
Ste 2800
500 W Madison St
Chicago, IL 60661
312-353-8551
Fax: 312-353-8555
Email: john.hendrickson@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ann M Henry
UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION
500 W Madison
Ste 2800
Chicago, IL 60661
312-353-8558
Fax: 312-353-8555
Email: ann.henry@eeoc.gov

ATTORNEY TO BE NOTICED

Diane I Smason
EEOC
Equal Employment Opportunity
Commission
Ste 2800
500 W Madison St
Chicago, IL 60661
(312) 353-7659
Fax: 312-353-8555
Email: diane.smason@eoc.gov
ATTORNEY TO BE NOTICED

Ethan M M Cohen
UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION
500 W Madison
Ste 2800
Chicago, IL 60661
312-353-7568
Fax: 312-353-8555
Email: ethan.cohen@eoc.gov
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

David Marcotte

represented by **David Marcotte**
186 1/2 River St
Bourbonnais, IL 60914
815-549-5529
PRO SE

Intervenor Plaintiff

Robert Kerouac

represented by **Robert Kerouac**
1167 Holly Ct
Bradley, IL 60915
815-932-9921
PRO SE

V.

Defendant

Federal Express Corp

represented by **Sandra C Isom**
FEDERAL EXPRESS CORPORATION
Legal Department
3620 Hacks Cross Rd
Memphis, TN 38125
901-683-5880

Fax: 901-434-9271
 Email: scisom@fedex.com
ATTORNEY TO BE NOTICED

Fred K Heinrich
 HEINRICH & ASSOCIATES
 3121 Village Office Place
 Champaign, IL 61822
 217-398-2242
 Fax: 217-398-5804
 Email: fkheinrich@yahoo.com
ATTORNEY TO BE NOTICED

Jay L Grytdahl
 FEDERAL EXPRESS CORPORATION
 3620 Hacks Cross Rd
 Bldg B, 3rd Floor
 Memphis, TN 38125
 901-434-8590
 Fax: 901-434-9278
 Email: jlgrytdahl@fedex.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/29/2004	1	COMPLAINT against Federal Express Corp filed by Equal Employment Opportunity Commission. (Filing Fee Waived)(MT, ilcd) (Entered: 09/29/2004)
09/29/2004	2	NOTICE of Appearance of Attorney Jeanne B. Szromba by Equal Employment Opportunity Commission (MT, ilcd) (Entered: 09/29/2004)
09/29/2004	3	NOTICE of Appearance of Attorney Diane I. Smason by Equal Employment Opportunity Commission (MT, ilcd) (Entered: 09/29/2004)
09/29/2004	4	NOTICE of Appearance of Attorney John C. Hendrickson by Equal Employment Opportunity Commission (MT, ilcd) (Entered: 09/29/2004)
10/14/2004	5	NOTICE of Appearance of Attorney by Jay L Grytdahl on behalf of Federal Express Corp (Grytdahl, Jay) (Entered: 10/14/2004)
10/14/2004	6	CERTIFICATE OF INTEREST pursuant to Local Rule 11.3 by Federal Express Corp. (Grytdahl, Jay) (Entered: 10/14/2004)
10/18/2004	7	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Federal Express Corp waiver sent on 10/1/2004, answer due 11/30/2004. (MT, ilcd) (Entered: 10/18/2004)
11/03/2004	8	NOTICE of Appearance of Attorney by Fred K Heinrich on behalf of Federal Express Corp (Heinrich, Fred) (Entered: 11/03/2004)

11/23/2004	9	ANSWER to Complaint by Defendant Federal Express Corp.(Grytdahl, Jay) (Entered: 11/23/2004)
12/01/2004	10	ORDER setting Rule 16 Scheduling Conference. Rule 16 Scheduling Conference set for 2/10/2005 11:00 AM in Courtroom B before Judge Harold A. Baker. Entered by Judge Harold A. Baker on 12/1/04. See written order.(MT, ilcd) (Entered: 12/01/2004)
01/27/2005	11	NOTICE of Appearance of Attorney by Ann M Henry on behalf of Equal Employment Opportunity Commission (Henry, Ann) (Entered: 01/27/2005)
01/27/2005	12	CERTIFICATE <i>Certificate of Compliance</i> . (Grytdahl, Jay) (Entered: 01/27/2005)
01/27/2005	13	CERTIFICATE <i>Certificate of Compliance</i> . (Szromba, Jeanne) (Entered: 01/27/2005)
01/27/2005	14	REPORT of Rule 26(f) Planning Meeting by Equal Employment Opportunity Commission. (Szromba, Jeanne) (Entered: 01/27/2005)
02/10/2005		Minute Entry for proceedings held before Judge Harold A. Baker : Scheduling Conference held on 2/10/2005. Appearance of plaintiff by Jeanne Szromba; appearance of defendant by Fred Heinrich/Jay Grytdahl. Pretrial Conference set for 1/10/2006 01:30 PM in Courtroom B before Judge Harold A. Baker. Jury Selection set for 1/17/2006 09:00 AM in Courtroom B before Judge Harold A. Baker. Telephone Status Conference set for 4/11/2005 01:30 PM before Judge Harold A. Baker. See discovery plan 14 for further deadlines.(Court Reporter TJ.) (MT, ilcd) (Entered: 02/10/2005)
02/15/2005		Set/Reset Hearings: Text Order entered 2/10/05 omitted the jury trial date. Jury selection and Jury Trial set for 1/17/2006 09:00 AM in Courtroom A before Judge Harold A. Baker. (MT, ilcd) (Entered: 02/15/2005)
04/08/2005		TEXT ORDER Entered by Judge Harold A. Baker on 4/8/2005. Status Conference set for 4/11/2005 at 1:30 PM has been rescheduled to 4/12/2005 at 1:30 PM by telephone (court will place call) before Judge Harold A. Baker. The parties notified by phone. (KW, ilcd) (Entered: 04/08/2005)
04/12/2005		Minute Entry for proceedings held before Judge Harold A. Baker on 4/12/05 with appearance of Atty Szromba for plaintiff/Atty Heinrich for defendant. Status Conference held. Parties inform the Court that they are on schedule. Jury Trial scheduled for 1/17/06 is VACATED and Jury Selection/Jury Trial is rescheduled for 2/6/2006 at 9:00 PM before Judge Harold A. Baker. Further Status Conference is set for 6/15/2005 at 10:00 AM by telephone before Judge Harold A. Baker, court will place the call.(Court Reporter T J.) (VB, ilcd) (Entered: 04/12/2005)
06/15/2005		Minute Entry for proceedings held before Judge Harold A. Baker : Status Conference held on 6/15/2005. Appearance for the plaintiff by Jeanne Szromba. Appearance for the defendant by Jay Grytdahl. Parties are on schedule. (Court Reporter TJ.) (KW, ilcd) (Entered: 06/15/2005)
08/02/2005	15	First MOTION to Compel <i>Discovery Responses</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 8/16/2005 (Henry, Ann) (Entered: 08/02/2005)

08/03/2005	16	Exhibit re 15 First MOTION to Compel <i>Discovery Responses</i> by Equal Employment Opportunity Commission. (Henry, Ann) (Entered: 08/03/2005)
08/04/2005		TEXT ORDER entered by Judge Harold A. Baker on 8/4/05. On August 2, 2005, the plaintiff filed a motion to compel responses to discovery requests [#15]. The matter is set for hearing on Friday, August 19, 2005 at 8:45 a.m. by telephone conference call. The court will initiate the call. In the meantime, the parties are ordered to confer and genuinely attempt to resolve all matters in dispute. Either party's unwillingness to meet and confer in good faith shall be viewed most unfavorably by the court. (MT, ilcd) (Entered: 08/04/2005)
08/16/2005	17	NOTICE <i>Withdrawing EEOC's Motion to Compel Defendant to Produce Responses to EEOC's Discovery Requests</i> by Equal Employment Opportunity Commission (Henry, Ann) (Entered: 08/16/2005)
08/16/2005		TEXT ORDER entered by Judge Harold A. Baker on 8/16/05. On August 2, 2005, the plaintiff filed a motion to compel. A hearing on the motion was scheduled for Friday, August 19, 2005 at 8:45 a.m. On August 16, 2005, the plaintiff filed a notice to withdraw the motion to compel, which the court construes as a motion to withdraw the motion to compel. The motion to withdraw the motion to compel [#17] is granted; the motion to compel [#15] is withdrawn. The August 19, 2005 hearing is vacated. (MT, ilcd) (Entered: 08/16/2005)
09/09/2005	18	MOTION to Compel <i>Employee Handbook and People Manual</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 9/23/2005 (Attachments: # 1 Errata Part 1 of 4# 2 Exhibit Part 2 of 4# 3 Exhibit Part 3 of 4# 4 Exhibit Part 4 of 4)(Szromba, Jeanne) (Entered: 09/09/2005)
09/12/2005	19	RESPONSE to Motion re 18 MOTION to Compel <i>Employee Handbook and People Manual</i> filed by Defendant Federal Express Corp. (Attachments: # 1 # 2)(Grytdahl, Jay) (Entered: 09/12/2005)
09/19/2005		TEXT ORDER Setting Hearing entered by Judge Harold A. Baker on 9/19/05. On September 9, 2005, the plaintiff filed a motion to compel the defendant to produce its employee handbook and people manual [#18]. The defendant has filed its response to the motion [#19]. A motion hearing is scheduled for October 14, 2005 at 10:00 a.m. by telephone conference call. The court will initiate the call. In the meantime, the parties are ordered to confer and genuinely attempt to resolve all matters in dispute. Either party's unwillingness to meet and confer in good faith shall be viewed most unfavorably by the court. (MT, ilcd) (Entered: 09/19/2005)
09/27/2005	20	MOTION for Leave to File <i>First Amended Complaint and to Re-Open Discovery</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 10/11/2005 (Attachments: # 1 Exhibit First Amended Complaint)(Szromba, Jeanne) (Entered: 09/27/2005)
09/28/2005	21	MEMORANDUM in Opposition re 20 MOTION for Leave to File <i>First Amended Complaint and to Re-Open Discovery</i> filed by Defendant Federal Express Corp. (Attachments: # 1)(Grytdahl, Jay) (Entered: 09/28/2005)
10/11/2005	22	MOTION for Summary Judgment by Defendant Federal Express Corp. Responses due by 11/1/2005 (Grytdahl, Jay) (Entered: 10/11/2005)

10/11/2005	23	MEMORANDUM re 22 MOTION for Summary Judgment by Federal Express Corp. (Attachments: # 1 Exhibit Ex. 1A# 2 Exhibit Ex. 1B# 3 Exhibit Ex. 2 thru Ex. 5# 4 Exhibit Ex. 6 to Ex. 11# 5 Exhibit Ex. 12 to Ex. 17# 6 Exhibit Ex. 18 to Ex. 24# 7 Exhibit Ex. 25 to Ex. 32# 8 Exhibit Ex. 33 to Ex. 39# 9 Exhibit Ex. 40 to Ex. 44# 10 Exhibit Ex. 45 to Ex. 52# 11 Exhibit Ex. 53 to Ex. 63# 12 Exhibit Ex. 64 to Ex. 71# 13 Exhibit Ex. 72 to Ex. 75# 14 Exhibit Ex. 76 to Ex. 83# 15 Exhibit Ex. 84 to Ex. 88)(Grytdahl, Jay) (Entered: 10/11/2005)
10/14/2005		Minute Entry for proceedings held before Judge Harold A. Baker : Motion Hearing held on 10/14/2005 re 18 Motion to Compel, 20 Motion for Leave to File, 22 Motion for Summary Judgment. Appearance of plaintiff by Jeanne Szromba/Ann Henry; appearance of defendant by Jay Grytdahl. Motions 18 and 20 are GRANTED. Motion 22 is denied with leave to refile after discovery is complete. Case management order will be entered. (Court Reporter TJ.) (MT, ilcd) (Entered: 10/14/2005)
10/14/2005	24	CASE MANAGEMENT ORDER entered by Judge Harold A. Baker on 10/14/05. The plaintiff shall file an amended complaint within seven days of the date of this order. The defendant shall file its answer within 14 days thereafter. Final Pretrial Conference set for 4/11/2006 01:30 PM in Courtroom B before Judge Harold A. Baker. Jury Selection and Jury Trial set for 4/17/2006 09:00 AM in Courtroom B before Judge Harold A. Baker. Status Conference set for 12/9/2005 02:00 PM by telephone (court will place call) before Judge Harold A. Baker. See written order. (MT, ilcd) (Entered: 10/14/2005)
10/14/2005		Set/Reset Deadlines: Miscellaneous Deadline 10/21/2005 for amended complaint to be filed. (MT, ilcd) (Entered: 10/14/2005)
10/17/2005		Set/Reset Deadlines: Miscellaneous Deadline 10/21/05 was in error. Miscellaneous deadline is corrected to 10/25/2005 for the amended complaint to be filed. (MT, ilcd) (Entered: 10/17/2005)
10/17/2005		Notice of Docket Text or Event Modification. The docket entry setting a 10/25/05 deadline for amended complaint to be filed was entered in the wrong case number and the deadline has been terminated. (MT, ilcd) (Entered: 10/17/2005)
10/20/2005	25	AMENDED COMPLAINT against Federal Express Corp, filed by Equal Employment Opportunity Commission.(Henry, Ann) (Entered: 10/20/2005)
10/20/2005	26	ANSWER to Amended Complaint by Defendant Federal Express Corp.(Grytdahl, Jay) (Entered: 10/20/2005)
11/29/2005	27	MOTION for Extension of Time to Complete Discovery by Defendant Federal Express Corp. Responses due by 12/13/2005 (Attachments: # 1 Exhibit A - Notice of Depositions)(Grytdahl, Jay) (Entered: 11/29/2005)
12/02/2005		TEXT ORDER Entered by Judge Harold A. Baker on 12/2/2005. On November 29, 2005, the defendant filed a motion for extension of time to complete discovery and file dispositive motions. The motion [#27] is granted in part and denied in part. The deadline for completion of discovery is extended to January 20, 2006. The dispositive motion deadline is extended to February 3, 2006. Responses and replies shall be filed in accordance with the Local Rules. (KW, ilcd) (Entered: 12/02/2005)

12/02/2005		Set/Reset Deadlines: Discovery due by 1/20/2006. Motions due by 2/3/2006. (KW, ilcd) (Entered: 12/02/2005)
12/09/2005		Minute Entry for proceedings held before Judge Harold A. Baker. Status Conference held on 12/9/2005. Appearance of plaintiff by Jeanne Szromba. Appearance of defendant by Jay Grytdahl. Parties advised court they are on track. (Tape #B10:657-740.) (SLJ, ilcd) (Entered: 12/09/2005)
01/19/2006	28	NOTICE <i>Stipulation Substitution of Counsel</i> by Federal Express Corp (Heinrich, Fred) (Entered: 01/19/2006)
02/01/2006	29	Second MOTION for Summary Judgment by Defendant Federal Express Corp. Responses due by 2/22/2006 (Grytdahl, Jay) (Entered: 02/01/2006)
02/01/2006	30	MEMORANDUM re 29 Second MOTION for Summary Judgment by Federal Express Corp. (Attachments: # 1 Exhibit 1-11# 2 Exhibit 12-23# 3 Exhibit 24# 4 Exhibit 25-35# 5 Exhibit 36-42# 6 Exhibit 43-44# 7 Exhibit 45-49# 8 Exhibit 50-57# 9 Exhibit 58-73# 10 Exhibit 74-89# 11 Exhibit 90-92# 12 Exhibit 93-108# 13 Exhibit 109-123# 14 Exhibit 124-146# 15 Exhibit 148)(Grytdahl, Jay) (Entered: 02/01/2006)
02/22/2006	31	RESPONSE to Motion re 29 Second MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Szromba, Jeanne) THIS DOCUMENT IS STRICKEN PURSUANT TO TEXT ORDER OF 2/2306. Modified on 2/23/2006 (MT, ilcd). (Entered: 02/22/2006)
02/22/2006	32	RESPONSE to Motion re 29 Second MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 3# 2 Exhibit 4# 3 Exhibit 5# 4 Exhibit 6# 5 Exhibit 7# 6 Exhibit 8# 7 Exhibit 9# 8 Exhibit 11# 9 Exhibit 12# 10 Exhibit 13# 11 Exhibit 14# 12 Exhibit 15# 13 Exhibit 17# 14 Exhibit 18# 15 Exhibit 19# 16 Exhibit 1# 17 Exhibit Exhibits A-C of Exhibit 1# 18 Exhibit Exhibits D-F to Exhibit 1# 19 Exhibit Exhibits G-I to Exhibit 1# 20 Exhibit 2, Part 1# 21 Exhibit 2, Part 2# 22 Exhibit 2, Part 3# 23 Exhibit 10, Part 1# 24 Exhibit 10, Part 2# 25 Exhibit 16, Part 1# 26 Exhibit 16, Part 2)(Szromba, Jeanne) (Entered: 02/22/2006)
02/23/2006		ORDER STRIKING DOCUMENT entered by Judge Harold A. Baker on 2/23/06. On February 22, 2006, the plaintiff filed a response to the defendant's motion for summary judgment 31 , and a second response to the defendant's motion for summary judgment with attached exhibits 32 . The first response appears to be incorporated into the second response; therefore, the first response 31 is stricken. (MT, ilcd) (Entered: 02/23/2006)
03/07/2006		ORDER entered by Judge Harold A. Baker on 3/7/06. On February 1, 2006, the defendant filed a motion for summary judgment 29 and supporting memorandum with 148 exhibits 30 . The defendant also provided a courtesy copy to the court. On February 22, 2006, the plaintiff filed a response to the motion for summary judgment 32 with 26 exhibits totaling well over 100 pages. Neither party filed an index of exhibits as required by this court's Administrative Procedures for Electronic Filing, paragraph C of Section V, page 31. The parties are ordered to file an index of their exhibits within five days of the date of this order. The plaintiff is further ordered to mail to the court a paper courtesy copy of its response and 26 exhibits. (MT, ilcd) (Entered: 03/07/2006)

03/07/2006	33	Exhibit re 32 Response to Motion,, <i>Index of Exhibits</i> by Equal Employment Opportunity Commission. (Szromba, Jeanne) (Entered: 03/07/2006)
03/09/2006	34	Exhibit re 30 Memorandum, <i>Index of Exhibits</i> by Federal Express Corp. (Grytdahl, Jay) (Entered: 03/09/2006)
03/10/2006	35	REPLY to Response to Motion re 29 Second MOTION for Summary Judgment filed by Defendant Federal Express Corp. (Attachments: # 1 Exhibit 1-19# 2 Exhibit 20-25# 3 Exhibit 26 - 33)(Grytdahl, Jay) (Entered: 03/10/2006)
03/10/2006	36	Exhibit re 35 Reply to Response to Motion <i>Exhibit Index</i> by Federal Express Corp. (Grytdahl, Jay) (Entered: 03/10/2006)
03/13/2006		ORDER STRIKING DOCUMENTS entered by Judge Harold A. Baker on 3/13/06. On March 9, 2006, the defendant filed an index of 147 exhibits in support of its motion for summary judgment. The index reflects that many of the exhibits are single pages of the same deposition. The motion for summary judgment 29 , all exhibits 30 , and the index 34 are stricken, as are the plaintiff's response and exhibits 32 and exhibit index 33 and the defendant's reply and exhibits 35 and exhibit index 36 . The defendant shall file a renewed motion for summary judgment with supporting exhibits and index. If the defendant refers only once to the deposition of a particular witness, the relevant page or pages shall be filed as one exhibit. If multiple references to different pages of a witness's deposition are relied upon, the defendant must file the entire deposition of that individual as a single exhibit, instead of filing scattered pages of the witness's deposition as multiple exhibits. The same procedure should be followed for documents. The motion for summary judgment shall be edited to reflect the changes in exhibit number. The plaintiff's response and the defendant's reply shall be edited and refiled to refer to previously-filed exhibits wherever possible; no duplicate depositions or documents should be filed if a party has already filed the complete deposition or document in accordance with this order. Any additional exhibits relied upon in the plaintiff's response or defendant's reply, which have not been filed in an earlier pleading, must be filed in accordance with this order (i.e., filing the entire deposition or document if referred to more than once) and accompanied by an index. The parties shall provide the court with a courtesy copy of their filings. The defendant's motion, exhibits, and index shall be refiled on or before March 20, 2006. The plaintiff's response, any new exhibits, and index shall be refiled on or before March 27, 2006. The defendant's reply, any new exhibits, and index shall be refiled on or before April 3, 2006. The final pretrial conference now scheduled for April 11, 2006 and jury selection/jury trial now scheduled for April 17, 2006 are vacated and rescheduled as follows: a final pretrial conference is now scheduled for January 8, 2007 at 2:00 p.m. by personal appearance. Jury selection/jury trial are scheduled to begin on January 22, 2007 at 9:00 a.m. (MT, ilcd) (Entered: 03/13/2006)
03/13/2006		Set/Reset Deadlines/Hearings: Pursuant to Text Order of 3/13/06, Miscellaneous Deadline set for 3/20/2006 for motion to be filed; Final Pretrial Conference set for 1/8/2007 02:00 PM in Courtroom B before Judge Harold A. Baker. Jury Selection/Jury Trial set for 1/22/2007 09:00 AM in Courtroom B before Judge Harold A. Baker. (MT, ilcd) (Entered: 03/13/2006)
03/17/2006	37	Amended MOTION for Summary Judgment by Defendant Federal Express Corp. Responses due by 4/7/2006 (Grytdahl, Jay) (Entered: 03/17/2006)

03/17/2006	38	MEMORANDUM <i>in Support of Motion for Summary Judgment</i> by Federal Express Corp. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11-13# 12 Exhibit 14# 13 Exhibit 15, 17, 21, 22# 14 Exhibit 16# 15 Exhibit 18# 16 Exhibit 19# 17 Exhibit 20# 18 Exhibit 23-37# 19 Exhibit 38-49# 20 Exhibit 50# 21 Exhibit INDEX)(Grytdahl, Jay) (Entered: 03/17/2006)
03/23/2006	39	RESPONSE to Motion re 37 Amended MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit INDEX# 2 Exhibit 1# 3 Exhibit 1, exhibits a-c# 4 Exhibit 1, exhibits d-f# 5 Exhibit 1, exhibits g-i# 6 Exhibit 2# 7 Exhibit 3# 8 Exhibit 4, part 1# 9 Exhibit 4, part 2# 10 Exhibit 5# 11 Exhibit 6# 12 Exhibit 7# 13 Exhibit 8# 14 Exhibit 9# 15 Exhibit 10# 16 Exhibit 11)(Szromba, Jeanne) (Entered: 03/23/2006)
03/30/2006	40	REPLY to Response to Motion re 37 Amended MOTION for Summary Judgment filed by Defendant Federal Express Corp. (Attachments: # 1 Exhibit Index# 2 Exhibit 51-54)(Grytdahl, Jay) (Entered: 03/30/2006)
12/05/2006	41	ORDER entered by Judge Harold A. Baker on 12/5/06. Defendant's Motion for Summary Judgment 37 is denied. The final pretrial conference is scheduled for 1/8/07 at 2:00 p.m. by personal appearance. Jury selection and jury trial are scheduled to begin on 1/22/07 at 9:00 a.m. (MT, ilcd) (Entered: 12/05/2006)
12/05/2006		Set/Reset Hearings: Pursuant to Order 41 entered 12/5/06, theFinal Pretrial Conference remains set for 1/8/2007 02:00 PM in Courtroom B before Judge Harold A. Baker, and the Jury Trial remains set for 1/22/2007 09:00 AM in Courtroom B before Judge Harold A. Baker. (MT, ilcd) (Entered: 12/05/2006)
01/04/2007		TEXT ORDER entered by Judge Harold A. Baker on 1/4/07. At the request of the parties, the final pretrial conference now scheduled for January 8, 2007 at 1:30 p.m. is vacated and rescheduled for January 16, 2007 at 1:30 p.m. by personal appearance.(MT, ilcd) (Entered: 01/04/2007)
01/10/2007	42	ORDER entered by Judge David G. Bernthal on 1/10/07. Settlement Conference set for 1/12/2007 10:00 AM in Courtroom C before Magistrate Judge David G. Bernthal.(MT, ilcd) (Entered: 01/10/2007)
01/10/2007		Minute Entry for proceedings held before Judge Harold A. Baker. Appearance of plaintiff by Jeanne Szromba/Diane Smason; appearance of defendant by Jay Grytdahl. Status Conference held on 1/10/2007. Final Pretrial Conference reset for 1/18/2007 01:30 PM in Courtroom B before Judge Harold A. Baker. (Court Reporter T.J.) (MT, ilcd) Modified on 1/10/2007 to add party appearances. (MT, ilcd). (Entered: 01/10/2007)
01/10/2007		Notice of Docket Text or Event Modification: The Minute Entry entered 1/10/07 was modified to add the party appearances. (MT, ilcd) (Entered: 01/10/2007)
01/12/2007		Minute Entry for proceedings held 1/12/07 before Judge David G. Bernthal. Appearance for plaintiff by Robert Kerouac and David Marcotte with counsel Jeanne Szromba, Ann Henry, and Diane Smason. Appearance for defendant by R. Jeffery Kelsey with counsel Jay Grytdahl. Settlement Conference held. No settlement reached. (Not taped.) (KM, ilcd) (Entered: 01/12/2007)

01/16/2007	43	MOTION in Limine <i>Nos. 1 - 6</i> by Defendant Federal Express Corp.Responses due by 1/30/2007 (Grytdahl, Jay) (Entered: 01/16/2007)
01/16/2007	44	NOTICE of Appearance of Attorney by Sandra C Isom on behalf of Federal Express Corp (Isom, Sandra) (Entered: 01/16/2007)
01/17/2007	45	Proposed Voir Dire by Federal Express Corp. (Grytdahl, Jay) (Entered: 01/17/2007)
01/17/2007	46	MOTION in Limine <i>to Exclude Testimony of Non-disclosed Witnesses</i> by Plaintiff Equal Employment Opportunity Commission.Responses due by 1/31/2007 (Henry, Ann) (Entered: 01/17/2007)
01/17/2007	47	Second MOTION in Limine by Plaintiff Equal Employment Opportunity Commission.Responses due by 1/31/2007 (Attachments: # 1)(Henry, Ann) (Entered: 01/17/2007)
01/17/2007	48	MEMORANDUM in Opposition re 43 MOTION in Limine <i>Nos. 1 - 6</i> filed by Plaintiff Equal Employment Opportunity Commission. (Henry, Ann) (Entered: 01/17/2007)
01/17/2007	49	Proposed Pretrial Order (<i>Joint</i>) by Equal Employment Opportunity Commission. (Szromba, Jeanne) (Entered: 01/17/2007)
01/18/2007	50	TRIAL BRIEF by Equal Employment Opportunity Commission. (Szromba, Jeanne) (Entered: 01/18/2007)
01/18/2007	51	NOTICE of Appearance of Attorney by Ethan M M Cohen on behalf of Equal Employment Opportunity Commission (Cohen, Ethan) (Entered: 01/18/2007)
01/18/2007		Minute Entry for proceedings held before Judge Harold A. Baker. Final Pretrial Conference held on 1/18/2007. Appearance of plaintiff by Jeanne Szromba and Ann Henry. Appearance of defendant by Sandra Isom, Fred Heinrich, Jay Grytdahl, Shelley Orcutt. The Court strikes the jury instructions in the proposed pretrial order 49 . (Court Reporter TJ.) (MT, ilcd) (Entered: 01/18/2007)
01/18/2007	52	PRETRIAL ORDER entered by Judge Harold A. Baker on 1/18/07. (MT, ilcd) (Entered: 01/18/2007)
01/18/2007	55	MOTION Emergency Status Conference and Continuance by Defendant Federal Express Corp.Responses due by 2/1/2007 (Grytdahl, Jay) (Entered: 01/18/2007)
01/18/2007	56	RESPONSE to Motion re 46 MOTION in Limine <i>to Exclude Testimony of Non-disclosed Witnesses re: Existence of Non-Victims</i> filed by Defendant Federal Express Corp. (Grytdahl, Jay) (Entered: 01/18/2007)
01/18/2007	57	RESPONSE to Motion re 47 Second MOTION in Limine <i>re: Exclude Testimony of Witnesses Not Previously Disclosed</i> filed by Defendant Federal Express Corp. (Attachments: # 1 Exhibit Index to Exhibits# 2 Exhibit A-C# 3 Exhibit D-E# 4 Exhibit F# 5 Exhibit G# 6 Exhibit H)(Grytdahl, Jay) (Entered: 01/18/2007)
01/19/2007	58	ORDER TO SHOW CAUSE Entered by Judge Harold A. Baker on 1/19/07. Rule to Show Cause Hearing set for 1/23/2007 at 1:30 PM in Courtroom B before Judge Harold A. Baker. Clerk is directed to locate the claimants in this case, David Marcotte and Robert Kerouac, and direct them to make a personal appearance at the show cause hearing for all parties provided for in this order. If

		Marcott and Kerouac have their own personal attorneys, they should be accompanied by their own attorney at the hearing. The personal appearance of counsel for the defendant is also required. See written order.(KW, ilcd) Modified on 1/19/2007 (KW, ilcd). (Entered: 01/19/2007)
01/22/2007	59	RESPONSE to Motion re 55 MOTION Emergency Status Conference and Continuance filed by Plaintiff Equal Employment Opportunity Commission. (Szromba, Jeanne) (Entered: 01/22/2007)
01/23/2007	60	Exhibit in Connection with FedEx's Emergency Motion (DKT # 55) by Federal Express Corp. (Grytdahl, Jay) (Entered: 01/23/2007)
01/23/2007		Minute Entry for proceedings held before Judge Harold A. Baker : Show Cause Hearing held on 1/23/2007. Appearances for the plaintiff EEOC by Jeanne Szrinba, John Hendrickson and Ann Henry. Claimants David Marcotte and Robert Kerouac appeared personally. Appearances for the defendants by Jay Grytdahl. Court inquires if Mr. Marcotte and Mr. Kerouac wants to intervene. Oral motion on behalf of the claimants to intervene as a party; motion granted. Clerk directed to add Mr. Marcotte and Mr. Kerouac as pro se plaintiffs. Further hearing scheduled on 2/6/07 at 2:00 by personal appearance, unless, parties have signed a consent decree. The Rule against Ms. Szromba is discharged. (Court Reporter TJ.) (KW, ilcd) (Entered: 01/23/2007)
01/23/2007		Set/Reset Hearings: Status Conference set for 2/6/2007 02:00 PM in Courtroom B before Judge Harold A. Baker. (KW, ilcd) (Entered: 01/23/2007)
01/23/2007	61	EXHIBIT #1: WILL Radio Station Report on 1/18/07(KW, ilcd) (Entered: 01/24/2007)
01/23/2007	62	EXHIBIT #2: Press Release give out by EEOC on 1/18/07.(KW, ilcd) (Entered: 01/24/2007)
02/06/2007		TEXT ORDER Entered by Judge Harold A. Baker on 2/6/07. Due to the weather, the hearing now scheduled for Tuesday, February 6, 2007, at 2:00 p.m. by personal appearance is vacated and rescheduled for Wednesday, February 7, 2007 at 1:30 p.m. by personal appearance. The intervenors may appear by telephone. The court will initiate the telephone call.(KW, ilcd) (Entered: 02/06/2007)
02/07/2007		TEXT ORDER Entered by Judge Harold A. Baker on 2/7/07. The Rule to Show Cause hearing scheduled for 2/7/07 at 1:30 has been cancelled and reset to 3/13/2007 at 01:30 PM in Courtroom B before Judge Harold A. Baker. Copy mailed to pro se intervenors. (KW, ilcd) (Entered: 02/07/2007)
02/07/2007	63	TRANSCRIPT of Proceedings held on 1/22/07 before Judge Harold A. Baker. Court Reporter: TJ. (MT, ilcd) (Entered: 02/07/2007)
02/23/2007	64	CERTIFICATE of Service/Counsel re 44 Notice of Appearance of Attorney by Sandra C Isom on behalf of Federal Express Corp (Isom, Sandra) (Entered: 02/23/2007)
03/01/2007		TEXT ORDER entered by Judge Harold A. Baker on 3/1/07. Due to postponements caused by the weather and other problems, the rule to show cause hearing originally scheduled for February 6, 2007 is now scheduled for March 13, 2007 at 1:30 p.m. by personal appearance. John Hendricksen, Jeanne

		Szromba, Ann Henry, David Marcotte, Robert Kerouac, Jay Grytdahl and the Chief Executive Officer of Federal Express are ordered to appear personally before the court in Urbana, Illinois. The clerk is directed to send notice by mail to Marcotte and Kerouac.(MT, ilcd) (Entered: 03/01/2007)
03/02/2007	65	MOTION Motion for Relief from Order Requiring the Appearance of its Chief Executive Officer re Order, Set/Reset Hearings,,,, by Defendant Federal Express Corp.Responses due by 3/19/2007 (Attachments: # 1 Exhibit A# 2 Exhibit B)(Grytdahl, Jay) (Entered: 03/02/2007)
03/12/2007		TEXT ORDER entered by Judge Harold A. Baker on 3/12/07. The defendant has filed a motion for relief from the court's order of March 1, 2007, requiring the appearance of its chief executive officer at the March 13, 2007, hearing. The defendant argues that the appropriate officer or director with authority to settle this case is Jeana Littrell. The court grants the defendant's motion for relief from the order requiring the appearance of Federal Express Corporation's CEO, David Bronczek 65 . Ms. Littrell may appear in substitution for David Bronczek, provided Ms. Littrell has full authority to settle this case without further consultation with other Federal Express employees. (MT, ilcd) (Entered: 03/12/2007)
03/13/2007		TEXT ORDER entered by Judge Harold A. Baker on 3/13/07. Jury selection and jury trial are scheduled to begin on Monday, April 16, 2007 at 9:00 AM before the court in Urbana, Illinois. (VB, ilcd) (Entered: 03/13/2007)
03/13/2007		Minute Entry for proceedings held before Judge David G. Bernthal. Appearance of plaintiff by Jeanne Szromba/John Hendrickson/Ann Henry; appearance of intervenor plaintiff Marcotte personally; appearance of intervenor plaintiff Keroua personally; appearance of defendant by Jay Grytdahl with corporation representative Jeana Littrell. Show Cause Hearing not held on 3/13/2007. Settlement conference held. Parties report settlement reached. Consent Order to be tendered to the Court. (Tape #UR-C 1:36 PM.) (MT, ilcd) (Entered: 03/14/2007)
03/19/2007	66	ORDER FOLLOWING REPORT OF SETTLEMENT entered by Judge David G. Bernthal on 3/19/07. Parties are hereby directed to file their consent decree by 4/9/07. The jury trial (April 16, 2007) will remain scheduled until the consent decree is filed and the case is officially closed.(MT, ilcd) Modified on 3/19/2007 to correct typographical error. (MT, ilcd). (Entered: 03/19/2007)
04/03/2007	67	Joint MOTION to Approve Consent Judgment by Plaintiff Equal Employment Opportunity Commission.Responses due by 4/20/2007 (Smason, Diane) (Entered: 04/03/2007)
04/04/2007		TEXT ORDER entered by Judge Harold A. Baker on 4/4/07. The parties have filed a joint motion for entry of a consent decree. The motion 67 is granted. A separate consent decree to be entered. Thereafter, the clerk of the court is directed to terminate this case. The court will retain jurisdiction over enforcement of the consent decree. (MT, ilcd) (Entered: 04/04/2007)
04/04/2007		TEXT ORDER entered by Judge Harold A. Baker on 4/4/07. Pending in this case is a rule to show cause why John Hendricksen should not be held in contempt and appropriate sanctions applied. The rule is now discharged. (MT, ilcd) (Entered: 04/04/2007)

		04/04/2007)
04/04/2007	68	CONSENT DECREE entered by Judge Harold A. Baker on 4/4/07. Civil Case Terminated.(MT, ilcd) (Entered: 04/04/2007)

PACER Service Center

Transaction Receipt

06/12/2007 09:04:53

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	2:04-cv-02209-HAB-DGB
Billable Pages:	9	Cost:	0.72