

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:93-cv-07741**

USA v. IL, St of, et al  
Assigned to: Hon. Blanche M. Manning  
Demand: \$0  
Cause: 28:2201 Declaratory Judgement

Date Filed: 12/28/1993  
Date Terminated: 08/09/1995  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: U.S. Government  
Plaintiff

**Plaintiff**

**United States of America**

represented by **AUSA**

United States Attorney's Office  
(NDIL)  
219 South Dearborn Street  
Suite 500  
Chicago, IL 60604  
(312) 353-5300  
Email:  
USAILN.ECFAUSA@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alyse S. Bass**  
United States Department of  
Justice  
Civil Rights Division  
Disability Rights Section  
P.O. Box 66738  
Washington, DC 20035-6738  
(202) 616-9511  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John M. Gadzichowski**  
United States Department of  
Justice  
Civil Rights Division  
P.O. Box 65968  
Washington, DC 20035-5968  
(202) 514-3834

V.

**Defendant**

**State of Illinois**

*a State of the United States of  
America*

represented by **Tracy Lovi Hartlieb**

Illinois Attorney General's Office  
100 West Randolph Street  
12th Floor  
Chicago, IL 60601  
(312) 814-3000  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edna Mae Rewers**

Illinois Attorney General's Office  
100 West Randolph Street  
12th Floor  
Chicago, IL 60601  
(312) 814-3000

**James R. Carroll**

Quinlan & Crisham, P.C.  
161 North Clark Street  
Suite 2300  
Chicago, IL 60601  
(312) 263-0900  
Email: jcarroll@qclaw.com  
*ATTORNEY TO BE NOTICED*

**Roger Philip Flahaven**

Illinois Attorney General's Office  
100 West Randolph Street  
12th Floor  
Chicago, IL 60601  
(312) 814-3000  
Email: rflahaven@atg.state.il.us  
*ATTORNEY TO BE NOTICED*

**Defendant**

**City of Aurora, The**

*a Municipality of the State of  
Illinois*

represented by **Michael B. Weinstein**

City of Aurora, Department of  
Law  
44 East Downer Place  
Aurora, IL 60507  
(312) 892-8811

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Mark A. Casciari**  
Seyfarth Shaw LLP  
131 South Dearborn Street  
Suite 2400  
Chicago, IL 60603-4205  
(312) 346-8000  
Email: mcasciari@seyfarth.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Board of Trustees of The City of  
Aurora Police Pension Fund**

represented by **Charles H. Atwell, Jr.**  
Atwell & Atwell  
111 West Downer Place  
Suite 310  
Aurora, IL 60506  
(708) 892-4341  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Cross Claimant**

**City of Aurora, The**

represented by **Michael B. Weinstein**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**State of Illinois**

represented by **Tracy Lovi Hartlieb**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Edna Mae Rewers**  
(See above for address)

**James R. Carroll**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Roger Philip Flahaven**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Cross Defendant**

**Board of Trustees of The City of  
Aurora Police Pension Fund**

represented by **Charles H. Atwell, Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Defendant**

**International Association of Fire  
Fighters**

represented by **Thomas A Woodley**  
Woodley & McGillivray  
1125 15th Street, NW  
Room 400  
Washington, DC 20005  
202 833 8855  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Douglas L. Steele**  
Mulholland & Hickey  
1125 15th Street, N.W.  
Suite 400  
Washington, DC 20005  
(202) 833-8855

**Erick J. Genser**  
Mulholland & Hickey  
1125 15th Street, N.W.  
Suite 400  
Washington, DC 20005  
(202) 833-8855

**Stephen Bernard Horwitz**  
Jacobs, Burns, Sugarman &  
Orlove  
201 North Wells Street  
Suite 1900  
Chicago, IL 60606  
(312) 372-1646  
Email: sbh@s-h-law.com  
*ATTORNEY TO BE NOTICED*

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>   |
|-------------------|----------|--|
| 12/28/1993        | 1        | COMPLAINT - Civil cover sheet - AUSA as attorney(s) for plaintiff (three originals and three copies of summons(es) issued.) (Documents: 1-1 through 1-2). (srb) (Entered: 01/07/1994)  |
| 02/25/1994        | 2        | ATTORNEY APPEARANCE for defendant Bd of Trst of Aurora by Charles H. Atwell Jr. (eav) (Entered: 02/28/1994)  |
| 02/28/1994        |          | RULE 39 letter mailed to Charles H. Atwell Jr. (eav) (Entered: 02/28/1994)   |
| 02/28/1994        | 3        | MOTION by defendant Aurora, Cty of to dismiss complaint ; Notice of filing (eav) (Entered: 03/01/1994)   |
| 02/28/1994        | 4        | ATTORNEY APPEARANCE for defendant IL, St of by Tracy Lovi Hartlieb, Roger Philip Flahaven, James R. Carroll, Edna Mae Rewers (eav) (Entered: 03/01/1994)   |
| 03/02/1994        | 5        | ATTORNEY APPEARANCE for defendant Aurora, Cty of by Michael B. Weinstein (eav) (Entered: 03/03/1994)   |
| 03/02/1994        | 6        | RULE 39 Affidavit of Michael B. Weinstein (eav) (Entered: 03/03/1994)  |
| 03/04/1994        | 7        | MOTION by defendant Bd of Trst of Aurora in response to plaintiff's complaint pursuant to F.R.C.P. Rule 12 ; Notice of motion (eav) (Entered: 03/07/1994)  |
| 03/04/1994        | 8        | MINUTE ORDER of 3/4/94 by Hon. William T. Hart : Defendant Board of Trustees of the City of Aurora Police Pension Fund's motions in response to plaintiff's complaint pursuant to F.R.C.P. Rule 12. Brief in support of motion due 18 Mar 94. Answer brief to motion due 1 Apr 94. Reply to answer brief due 15 Apr 94. [7-1] [3-1] Ruling on motion to dismiss set for 5 May 94 at 9:15 a.m. All other alternatives for more definite statement and to strike, etc. are denied. Mailed notice (eav) (Entered: 03/07/1994) |
| 03/04/1994        | 9        | MOTION by defendant IL, St of to dismiss the State of Illinois or in the alternative, to strike ; Notice of motion (eav) (Entered: 03/07/1994)   |
| 03/04/1994        | 10       | MINUTE ORDER of 3/4/94 by Hon. William T. Hart : Defendant, State of Illinois', motion to dismiss the State pursuant to Federal Rule of Civil Procedure 12(b)(1) or 12(b)(6)   |

|            |    |  |
|------------|----|--|
|            |    | or in the alternative motion to strike pursuant to Federal Rule of Civil Procedure 8(a)(2). Brief in support of motion due 18 Mar 94. Answer brief to motion due 1 Apr 94. [9-1] Reply to answer brief due 15 Apr 94. [9-2] [9-1] [9-2] Ruling on motion to dismiss set for 5 May 94 at 9:15 a.m. Motion in the prayer B & C are denied. Mailed notice (eav) (Entered: 03/07/1994) |
| 03/07/1994 | 11 | RULE 39 Affidavit of Charles H. Atwell Jr. (eav) (Entered: 03/08/1994)   |
| 03/09/1994 | 12 | MINUTE ORDER of 3/9/94 by Hon. William T. Hart : Enter order reflecting that in open court on March 4, 1994 the court denied defendant City of Aurora's motion [3-1] to dismiss the complaint and gave said defendant 14 days to file its answer. No notice (eav) (Entered: 03/10/1994)  |
| 03/17/1994 | 13 | MEMORANDUM by defendant IL, St of to dismiss the State of Illinois or in the alternative, [9-1], motion to strike [9-2] (Attachment) (eav) (Entered: 03/18/1994)   |
| 03/17/1994 | 14 | NOTICE of filing by defendant IL, St of regarding memorandum [13-1] (eav) (Entered: 03/18/1994)  |
| 03/18/1994 | 15 | MEMORANDUM by defendant Bd of Trst of Aurora in support of its motion to dismiss plaintiff's complaint pursuant to F.R.C.P. Rule 12(b)(6) [9-1]; Notice of filing (eav) (Entered: 03/21/1994)  |
| 03/22/1994 |    | MAILED Rule 3.14 to Elisia Bass (eav) (Entered: 03/22/1994)  |
| 03/30/1994 | 16 | MOTION by defendant Aurora, Cty of for leave to file additional appearance ; Notice of motion (eav) (Entered: 03/31/1994)  |
| 03/30/1994 | 17 | MINUTE ORDER of 3/30/94 by Hon. William T. Hart : Granting defendant's motion for leave to file additional appearance. [16-1] Telephoned notice (eav) (Entered: 03/31/1994)  |
| 03/30/1994 | 18 | ANSWER to complaint, affirmative defenses [1-1] AND CROSSCLAIMS by defendant Aurora, Cty of against defendants IL, St of, Bd of Trst of Aurora (eav) (Entered: 03/31/1994)   |
| 03/30/1994 | 19 | ATTORNEY APPEARANCE for defendant Aurora, Cty of by Mark A. Casciari (eav) (Entered: 03/31/1994)   |
| 03/30/1994 | 20 | RULE 39 Affidavit of Mark A. Casciari (eav) (Entered: 03/31/1994)  |

|            |    |  |
|------------|----|--|
| 04/01/1994 | 21 | MEMORANDUM by plaintiff USA of law in opposition to the motions to dismiss of defendants State of Illinois and Board of Trustees of the City of Aurora Police Pension Fund [9-1] (eav) (Entered: 04/06/1994)   |
| 04/05/1994 | 22 | MINUTE ORDER of 4/5/94 by Hon. William T. Hart : Plaintiff given leave to file as of April 1, 1994 oversized memorandum of law in opposition to the motions to dismiss of defendants State of IL. and Board of Trustees of the City of Aurora Police Pension Fund. No notice (eav) (Entered: 04/06/1994)   |
| 04/06/1994 | 23 | ATTORNEY APPEARANCE for plaintiff USA by Alyse S. Bass, John M. Gadzichowski (eav) (Entered: 04/07/1994)   |
| 04/15/1994 | 24 | MEMORANDUM in response by defendant Bd of Trst of Aurora to : plaintiff's memorandum of law in opposition to the defendant Pension Fund Board's motion to dismiss; Notice of filing. (fce) (Entered: 04/18/1994)   |
| 04/15/1994 | 25 | REPLY memorandum by defendant IL, St of in support of its motion to dismiss the State of Illinois or in the alternative, [9-1], motion to strike [9-2]; Notice of filing. (fce) (Entered: 04/18/1994)  |
| 04/18/1994 | 26 | MOTION by defendant Bd of Trst of Aurora to dismiss cross-claim filed by defendant City of Aurora pursuant to F.R.C.P. Rule 12(b)(6); Notice of motion; Notice of filing (eav) (Entered: 04/19/1994)   |
| 04/18/1994 | 27 | MINUTE ORDER of 4/18/94 by Hon. William T. Hart : Defendant Board of Trustees of the City of Aurora Police Pension Fund's motion to dismiss cross-claim filed by defendant City of Aurora pursuant to F.R.C.P. Rule 12(b)(6). Brief in support of motion due 25 Apr 94. Answer brief to motion due 9 May 94. [26-1] Reply to answer brief due 16 May 94. Mailed notice (eav) (Entered: 04/19/1994) |
| 04/18/1994 | 28 | MOTION by cross-defendant IL, St of to dismiss the City of Aurora's cross-claim against defendant State of Illinois ; Notice of motion (eav) (Entered: 04/19/1994)   |
| 04/18/1994 | 29 | MINUTE ORDER of 4/18/94 by Hon. William T. Hart : Cross-defendant, State of Illinois' motion to dismiss the State from the cross-claim filed by the City of Aurora pursuant to Federal Rule of Civil Procedure 12(b)(1). Brief in support of motion due 25 Apr 94. Answer brief to motion due 9 May 94. [28-1] Reply to answer brief due 16 May 94. Mailed notice (eav) (Entered: 04/19/1994)      |

|            |    |  |
|------------|----|--|
| 04/25/1994 | 30 | MEMORANDUM by defendant Bd of Trst of Aurora in support of its motion to dismiss cross-claim filed by defendant City of Aurora [26-1]; Notice of filing (eav) (Entered: 04/26/1994)  |
| 04/25/1994 | 31 | MEMORANDUM by cross-defendant IL, St of in support of motion to dismiss the City of Aurora's cross-claim against defendant State of Illinois [28-1]; Notice of filing (eav) (Entered: 04/26/1994)  |
| 04/28/1994 | 32 | MOTION by plaintiff USA for leave to file a memorandum in response to defendant State's motion to cite additional authority (eav) (Entered: 05/02/1994)  |
| 04/28/1994 | 33 | MEMORANDUM IN RESPONSE by plaintiff USA to defendant State's motion to cit additional authority [32-1] (Attachments) (eav) (Entered: 05/02/1994)   |
| 04/29/1994 | 34 | MOTION by defendant Bd of Trst of Aurora to amend: defendant's (Board of Trustees of the City of Aurora Police Pension Fund) motion to dismiss cross-claim filed by defendant City of Aurora ; Notice of motion (eav) (Entered: 05/03/1994)  |
| 04/29/1994 | 35 | MINUTE ORDER of 4/29/94 by Hon. William T. Hart : Granting defendant's motion to amend: defendant's (Board of Trustees of the City of Aurora Police Pension Fund) motion to dismiss cross-claim filed by defendant City of Aurora [34-1] Telephoned notice (eav) (Entered: 05/03/1994) |
| 04/29/1994 | 36 | AMENDED MOTION by defendant Bd of Trst of Aurora to dismiss cross-claim filed by defendant City of Aurora pursuant to F.R.C.P. Rule 12(b)(1) and alternatively Rule 12(b)(6) (eav) (Entered: 05/03/1994)   |
| 04/29/1994 | 37 | MOTION by defendant IL, St of to cite additional authority (Attachment); Notice of motion (eav) (Entered: 05/03/1994)  |
| 04/29/1994 | 38 | MINUTE ORDER of 4/29/94 by Hon. William T. Hart : Granting defendant, State of Illinois' motion to cite additional authority. [37-1] Telephoned notice (eav) (Entered: 05/03/1994)   |
| 05/03/1994 | 39 | MINUTE ORDER of 5/3/94 by Hon. William T. Hart : Status and ruling date of May 5, 1994 is stricken. Ruling to be made by mail with ruling on motion to dismiss cross-claim. Telephoned notice (eav) (Entered: 05/04/1994)  |
| 05/09/1994 | 40 | RESPONSE by defendant City of Aurora's to the motion to dismiss its cross-claim against defendant Board of Trustees of the City of Aurora Police Pension Fund [36-1] (Attachment) (eav) (Entered: 05/10/1994)  |



|            |    |  |
|------------|----|--|
| 05/09/1994 | 41 | RESPONSE by defendant City of Aurora's to the motion to dismiss its cross-claim against defendant State of Illinois [28-1] (eav) (Entered: 05/10/1994)   |
| 05/16/1994 | 42 | REPLY by cross-defendant IL, St of regarding memorandum in support of its motion to dismiss the City of Aurora's cross-claim [31-1]; Notice of filing (eav) (Entered: 05/17/1994)  |
| 05/16/1994 | 43 | MEMORANDUM IN REPLY by cross-defendant Board of Trustees of the City of Aurora Police Pension Fund to defendant City of Aurora response to the motion to dismiss its cross-claim against defendant Board of Trustees of the City of Aurora Police Pension Fund; Notice of filing (eav) (Entered: 05/17/1994)   |
| 05/18/1994 | 44 | MOTION by defendant Aurora, Cty of for leave to supplement record instanter with original (Attachments); Notice of motion (eav) (Entered: 05/19/1994)  |
| 05/18/1994 | 45 | MINUTE ORDER of 5/18/94 by Hon. William T. Hart : Granting defendant City of Aurora's motion for leave to supplement record instanter with original. [44-1] No notice (eav) (Entered: 05/19/1994)  |
| 08/30/1994 | 46 | MINUTE ORDER of 8/30/94 by Hon. William T. Hart : Plaintiff's motion for leave to file response to additional authority [32-1] is granted. Board of Trustees' motion to dismiss cross-claim is denied without prejudice as moot [26-1] in that an amended motion to dismiss is pending. No notice (eav) (Entered: 08/31/1994)  |
| 09/09/1994 | 47 | MOTION by defendant IL, St of for protective order (Exhibits); Notice of motion (eav) (Entered: 09/12/1994)  |
| 09/09/1994 | 48 | MINUTE ORDER of 9/9/94 by Hon. William T. Hart : Defendant State of Illinois' motion for protective order is denied. [47-1] Order all discovery to be completed by 12/31/94. Submission of joint written discovery scheduling plan (original & 1 copy) in open court set for 9/23/94 at 9:15 a.m. Mailed notice (eav) (Entered: 09/12/1994)  |
| 09/09/1994 | 49 | MEMORANDUM, OPINION, AND ORDER (eav) (Entered: 09/12/1994)   |
| 09/09/1994 | 50 | MINUTE ORDER of 9/9/94 by Hon. William T. Hart : Pursuant to memorandum opinion and order, it is ordered that defendant Board of Trustees' Rule 12 motion [7-1] is denied and its motion to dismiss crossclaim [36-1] is granted. Defendant State of Illinois' motion to dismiss or alternatively to strike [9-1], [9-2] is denied and its motion to dismiss crossclaim [28-1] is granted. |

|            |    |   |
|------------|----|---|
|            |    | The crossclaim is dismissed. Defendants, the Board of Trustees and State of Illinois shall answer the complaint by 9/30/94. No notice (eav) (Entered: 09/12/1994)   |
| 09/21/1994 | 51 | MOTION by plaintiff USA to bifurcate for discovery and trial the issues of liability and individual relief ; Notice of motion (eav) (Entered: 09/22/1994)   |
| 09/21/1994 | 52 | MEMORANDUM by plaintiff USA in support of the motion to bifurcate for discovery and trial the issues of liability and individual relief [51-1] (eav) (Entered: 09/22/1994)  |
| 09/21/1994 | 53 | MINUTE ORDER of 9/21/94 by Hon. William T. Hart : Plaintiff's motion denied without prejudice as to discovery. Bifurcation of trial is denied without prejudice to being renewed at time of final pretrial order. [51-1] Mailed notice (eav) (Entered: 09/22/1994)  |
| 09/21/1994 | 54 | AGREED MOTION by plaintiff USA to postpone the submission of the parties' proposed joint discovery plan and to extend the deadline for the close of discovery ; Notice of motion (eav) (Entered: 09/22/1994)  |
| 09/21/1994 | 55 | MINUTE ORDER of 9/21/94 by Hon. William T. Hart : Agreed motion to postpone the submission of the parties' proposed joint discovery plan and [54-1], extend the deadline for the close of discovery. [54-2] Discovery closing date is extended to 2/15/95. Submission of joint written discovery scheduling plan extended to 10/6/94 at 9:30 a.m. Mailed notice (eav) (Entered: 09/22/1994) |
| 09/28/1994 | 56 | ANSWER by defendant Bd of Trst of Aurora to complaint; Notice of filing (eav) (Entered: 09/29/1994)   |
| 09/30/1994 | 57 | ANSWER by defendant IL, St of to the complaint; jury demand; Notice of filing (eav) (Entered: 10/03/1994)   |
| 10/06/1994 | 58 | PROPOSED DISCOVERY plan by plaintiff and defendants. (Orig. dkt. date of 10/7/94) (emd) (Entered: 10/12/1994)   |
| 10/06/1994 |    | ORAL MOTION by plaintiff to bifurcate (Orig. dkt. date of 10/7/94) (emd) (Entered: 10/12/1994)  |
| 10/06/1994 | 59 | MINUTE ORDER of 10/6/94 by Hon. William T. Hart : Proposed discovery plan filed of record. Plaintiff's oral renewed motion to bifurcate is denied.[0-1] Parties informed that this case will be reassigned to Judge designated Blanche M. Manning on 10/18/94. (Orig. dkt. date of 10/7/94) Mailed notice (emd) (Entered: 10/12/1994)   |

|            |    |  |
|------------|----|--|
| 10/18/1994 |    | EXECUTIVE committee order of 10/18/94 Case reassigned to Hon. Blanche M. Manning (fce) (Entered: 10/18/1994)   |
| 10/25/1994 | 60 | MINUTE ORDER of 10/25/94 by Hon. Blanche M. Manning : Status hearing set for 11/14/94 at 11:00 a.m. (See reverse of minute order.) Mailed notice (eav) (Entered: 10/26/1994)   |
| 11/09/1994 | 61 | JOINT WRITTEN STATUS REPORT by plaintiff USA (eav) (Entered: 11/10/1994)   |
| 11/10/1994 | 62 | AMENDED JOINT WRITTEN STATUS REPORT by defendant IL, St of (Attachments) (eav) (Entered: 11/14/1994)   |
| 11/14/1994 | 63 | MINUTE ORDER of 11/14/94 by Hon. Blanche M. Manning : Status hearing held. The case is referred to the designated Magistrate Judge for supervision of discovery. No notice (eav) (Entered: 11/15/1994)   |
| 11/16/1994 | 64 | REFERRAL ORDER of 11/15/94: Case referred to Magistrate Judge W. Thomas Rosemond Jr. pursuant to local General Rule 2.41(b) to conduct hearings and enter appropriate orders on the following pretrial motion/matter: Discovery supervision. Mailed notice (eav) (Entered: 11/17/1994)   |
| 12/23/1994 | 65 | MINUTE ORDER of 12/23/94 by Hon. W. Thomas Rosemond Jr. : Initial pretrial conference before Magistrate Judge Rosemond set for 1/9/95 at 10:45 a.m. in courtroom 2430. Parties with full knowledge of the case directed to be present to explore settlement and possible trial dates. Mailed notice (eav) (Entered: 01/04/1995)  |
| 12/29/1994 | 67 | TRANSCRIPT of proceedings for the following date(s): 9/21/94, 10/6/94 Before Honorable William T. Hart (2 vols.: 67-1 through 67-2) (ldg) (Entered: 01/14/1995)  |
| 01/09/1995 | 66 | MINUTE ORDER of 1/9/95 by Hon. W. Thomas Rosemond Jr. : Initial pretrial conference before Magistrate Judge Rosemond held. Plaintiff's motion for bifurcation to be filed by 1/17/95. Defendant's response due 1/31/95. Plaintiff's reply due 2/14/95. Discovery cut-off extended to 2/28/95 to permit resolution of anticipated motion for bifurcation. Mailed notice (eav) (Entered: 01/11/1995) |
| 01/17/1995 | 68 | MOTION by plaintiff USA to bifurcate for trial the issues of liability and individual relief (eav) (Entered: 01/18/1995)   |
| 01/17/1995 | 69 | MEMORANDUM by plaintiff USA in support of the renewed motion to bifurcate for trial the issues of liability and [68-1], individual relief [68-2] (Attachments) (eav) (Entered: 01/18/1995)   |

|            |    |  |
|------------|----|--|
|            |    | 01/18/1995)  |
| 01/24/1995 | 70 | MOTION by prospective intervenor-defendant Intl Assn of Fire to intervene as of right ; Notice of motion (eav) (Entered: 01/25/1995)   |
| 01/24/1995 | 71 | MINUTE ORDER of 1/24/95 by Hon. Blanche M. Manning : Government to respond to International Association of Fire Fighters motion to intervene on or before 2/7/95. [70-1] International Association of Fire Fighters' reply due on or before 2/22/95. [70-1] Motion is taken under advisement. Ruling to be by mail. Thomas Woodley given leave to appear pro hac vice. Mailed notice (eav) (Entered: 01/25/1995) |
| 01/24/1995 | 72 | PROPOSED ANSWER by intervenor defendant Intl Assn of Fire to plaintiff's complaint (eav) (Entered: 01/25/1995)   |
| 01/25/1995 |    | MAILED Rule 3.14 appearance letter to Stephen Bernard Horwitz, Thomas A Woodley (eav) (Entered: 01/25/1995)  |
| 01/31/1995 | 73 | MEMORANDUM by defendant IL, St of in opposition to the plaintiff's motion to bifurcate for trial the issues of liability and [68-1], individual relief [68-2] (Attachment) (eav) (Entered: 02/01/1995)   |
| 01/31/1995 | 74 | NOTICE of filing by defendant IL, St of regarding memorandum [73-1] (eav) (Entered: 02/01/1995)  |
| 01/31/1995 | 75 | MEMORANDUM IN REPLY by defendant Bd of Trst of Aurora to plaintiff's memorandum in support of its renewed motion to bifurcate for trial the issues of liability and individual relief [69-1] (Attachment); Notice of filing (eav) (Entered: 02/01/1995)  |
| 02/07/1995 | 76 | MEMORANDUM by plaintiff USA of law in opposition to the motion to intervene of the International Association of Fire Fighters [70-1] (eav) (Entered: 02/08/1995)   |
| 02/07/1995 | 77 | DECLARATION of Alyse S. Bass (eav) (Entered: 02/08/1995)   |
| 02/09/1995 | 78 | ATTORNEY APPEARANCE for intervenor defendant Intl Assn of Fire by Thomas A. Woodley, Stephen B. Horwits, Douglas L. Steele, Erick J. Genser (eav) (Entered: 02/10/1995)  |
| 02/09/1995 | 79 | RULE 39 Affidavit of Thomas A Woodley (eav) (Entered: 02/10/1995)  |
| 02/09/1995 | 80 | RULE 39 Affidavit of Stephen Bernard Horwitz (eav) (Entered: 02/10/1995)   |

|            |    |   |
|------------|----|---|
| 02/10/1995 |    | RULE 39 letter mailed to Douglas L. Steele, Erick J. Genser (eav) (Entered: 02/10/1995)   |
| 02/14/1995 | 81 | REPLY by plaintiff USA to defendants' opposition to renewed motion to bifurcate for trial the issues of liability and individual relief [73-1] (eav) (Entered: 02/16/1995)  |
| 02/22/1995 | 82 | RULE 39 Affidavit of Douglas L. Steele (eav) (Entered: 02/23/1995)  |
| 02/22/1995 | 83 | RULE 39 Affidavit of Erick J. Genser (eav) (Entered: 02/23/1995)  |
| 02/22/1995 | 84 | REPLY by intervenor defendant Intl Assn of Fire to plaintiff United States' memorandum of law in opposition to motion to intervene [76-1] (eav) (Entered: 02/23/1995)   |
| 02/22/1995 | 85 | CERTIFICATE by intervenor defendant Intl Assn of Fire of service (eav) (Entered: 02/23/1995)  |
| 02/27/1995 | 86 | MOTION by plaintiff USA to extend discovery for six months in the event that this court denies the United States' pending motion to bifurcate trial ; Notice of motion. (fce) (Entered: 03/06/1995)   |
| 02/27/1995 | 87 | MEMORANDUM by plaintiff USA in support of motion to extend discovery for six months in the event that this court denies the United States' pending motion to bifurcate trial [86-1] (fce) (Entered: 03/06/1995)   |
| 02/27/1995 | 88 | MINUTE ORDER of 2/27/95 by Hon. W. Thomas Rosemond Jr. : Denying plaintiff's motion to extend discovery for six months in the event that this court denies the United States' pending motion to bifurcate trial [86-1], without prejudice, as being moot. Until plaintiff's motion to bifurcate for trial the issues of liability and individual relief is resolved, all issues regarding discovery cut-off are stayed. Mailed notice (fce) (Entered: 03/06/1995) |
| 03/13/1995 | 89 | NOTICE by plaintiff USA of change of address of Alyse Bass. (lal) (Entered: 03/14/1995)   |
| 03/13/1995 | 90 | MINUTE ORDER of 3/13/95 by Hon. Blanche M. Manning : Pursuant to Bethune Plaza Inc. vs. Lumpkin, 863 F.2d 525, 533 (7th Cir. 1988), International Association of Firefighters' motion to intervene pursuant to F.R.C.P.24 (a) is denied. [70-1] Likewise, the alternative motion to intervene pursuant to F.R.C.P. 24 (b)(2) is also denied. However, the court will grant leave for International Association of Fire Fighters to file an                        |

|            |     |  |
|------------|-----|--|
|            |     | amicus curie brief on or before 04/03/95. Mailed notice (lal) (Entered: 03/14/1995)  |
| 04/07/1995 | 91  | MINUTE ORDER of 4/7/95 by Hon. Arlander Keys : This case was referred for supervision of discovery. Parties are to submit by 05/01/95 a joint status report regarding whether discovery has been completed and, if not, the present status of discovery and proposed dates for completion thereof. Mailed notice (lal) (Entered: 04/11/1995)     |
| 04/20/1995 | 92  | TRANSCRIPT of proceedings for the following date(s): 11/14/94, 1/24/95 before Honorable Blanche M. Manning (2 vols: 92-1, 92-2) (rmm) (Entered: 04/25/1995)  |
| 05/01/1995 | 93  | JOINT STATUS REPORT regarding discovery. (lal) (Entered: 05/03/1995)   |
| 05/23/1995 | 94  | MOTION by plaintiff for summary judgment on defendants' Liability for Violation fo the Americans with disabilities act. ; Notice of motion (lal) (Entered: 05/25/1995)   |
| 05/23/1995 | 96  | MOTION by plaintiff to excess page limit in its memorandum in support of summary judgment (lal) (Entered: 05/25/1995)  |
| 05/23/1995 | 98  | MEMORANDUM by plaintiff in support of motion for summary judgment on defendants' Liability for Violation of the Americans with disabilities act. [94-1] (lal) (Entered: 05/25/1995)  |
| 05/23/1995 | 99  | STATEMENT of material facts as to which there are no genuine issues in support of motion for summary judgment on defendants' liability for violation of the Americas with Disabilities Act by plaintiff (lal) (Entered: 05/25/1995)  |
| 05/23/1995 | 100 | EXHIBITS by plaintiff to the Memorandum of Law in support of motion for summary judgment on defendants' Liability for Violation of the Americas with disabilities Act. (lal) (Entered: 05/25/1995)   |
| 05/24/1995 | 95  | MINUTE ORDER of 5/24/95 by Hon. Blanche M. Manning : Answer brief to motion for summary judgment on defendants' Liability for Violation fo the Americans with disabilities act due 07/24/95. [94-1] Reply to answer brief due 8/24/95. Court will rule by mail. Enter order nunc pro tunc as 05/23/95. Mailed notice (lal) (Entered: 05/25/1995) |
| 05/24/1995 | 97  | MINUTE ORDER of 5/24/95 by Hon. Blanche M. Manning : Granting United States' motion to excess page limit in its memorandum in support of summary judgment. [96-1] Enter  |

|            |     |   |
|------------|-----|---|
|            |     | order nunc pro tunc as 05/23/95. No notice (lal) (Entered: 05/25/1995)  |
| 07/24/1995 | 101 | AGREED MOTION for extension of time on the briefing schedule for plaintiff's motion for summary judgment ; Notice of motion (lal) (Entered: 07/25/1995)   |
| 07/24/1995 | 102 | MINUTE ORDER of 7/24/95 by Hon. Blanche M. Manning : Granting parties agreed motion for extension of time on the briefing schedule for plaintiff's motion for summary judgment. [101-1] Defendants' response to plaintiff's motion for summary judgment on defendants' Liability for Violation fo the Americans with disabilities act due 08/14/95. [94-1] Plaintiff's reply to answer brief due 9/14/95. Ruling by mail. Mailed notice (lal) (Entered: 07/25/1995) |
| 08/09/1995 | 103 | CONSENT DECREE (lal) (Entered: 08/10/1995)  |
| 08/09/1995 | 104 | MINUTE ORDER of 8/9/95 by Hon. Blanche M. Manning : Enter Consent Decree. This consent decree shall remain in effect until 03/01/97. The Court retains jurisdiction over this case for the purpose of deciding any issue which may arise under this Consent Decree and for purposes of enforcement of this consent decree. terminating case Mailed notice (lal) (Entered: 08/10/1995)   |
| 08/09/1995 | 105 | AGREED MOTION for entry of consent decree ; Notice of motion (lal) (Entered: 08/10/1995)  |
| 08/09/1995 | 106 | ORDER regarding motion for entry of consent decree [105-1] (lal) (Entered: 08/10/1995)  |
| 08/09/1995 | 107 | MINUTE ORDER of 8/9/95 by Hon. Blanche M. Manning : Granting parties' agreed motion for entry of consent decree. [105-1] Mailed notice (lal) (Entered: 08/10/1995)  |

---