

**U.S. District Court
Western District of Pennsylvania (Pittsburgh)
CIVIL DOCKET FOR CASE #: 2:07-cv-01291-AJS**

WAITE v. CHAMPION WINDOWS MANUFACTURING,
INC.
Assigned to: Arthur J. Schwab
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 09/25/2007
Date Terminated: 05/13/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

MARTELL WAITE

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Plaintiff Consolidated

**EQUAL EMPLOYMENT
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V.

Defendant

**CHAMPION WINDOWS
 MANUFACTURING, INC.**
doing business as
**CHAMPION WINDOWS OF
 PITTSBURGH**

represented by **Allison Feldstein**
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Defendant Consolidated

**CHAMPION WINDOW
 MANUFACTURING & SUPPLY CO.,
 LLC**
doing business as
**CHAMPION WINDOW OF
 PITTSBURGH**
doing business as
CHAMPION WINDOW MFG., INC.

represented by **Allison Feldstein**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Keenan D. Holmes
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/25/2007	<u>1</u>	COMPLAINT against CHAMPION WINDOWS MANUFACTURING, INC., filed by MARTELL WAITE. (Filing fee \$350 paid, Receipt #693970) (Attachments: # <u>1</u> Civil Cover Sheet)(sjs) (Entered: 09/25/2007)
09/25/2007		Summons Issued as to CHAMPION WINDOWS MANUFACTURING, INC. (sjs) (Entered: 09/25/2007)
09/25/2007	<u>2</u>	NOTICE of Appearance by Tiffany R. Waskowicz on behalf of MARTELL WAITE (Waskowicz, Tiffany) (Entered: 09/25/2007)
10/04/2007	<u>3</u>	WAIVER OF SERVICE Returned Executed by MARTELL WAITE. CHAMPION WINDOWS MANUFACTURING, INC. waiver sent on 9/26/2007, answer due 11/26/2007. (Waskowicz, Tiffany) (Entered: 10/04/2007)
10/10/2007	<u>4</u>	NOTICE that instant civil action has been designated for placement into the United States District Court's Alternative Dispute Resolution program. Parties are directed to fully complete the required 26(f) report, which includes the stipulation of selecting an ADR process. Counsel for plaintiff (or in the case of a removal action, counsel for removing defendant) shall make service of the notice on all parties.(ms) (Entered: 10/10/2007)

11/26/2007	<u>5</u>	ANSWER to Complaint by CHAMPION WINDOWS MANUFACTURING, INC. (Feldstein, Allison) (Entered: 11/26/2007)
11/26/2007	<u>6</u>	Disclosure Statement identifying None as corporate parent, by CHAMPION WINDOWS MANUFACTURING, INC. (Feldstein, Allison) (Entered: 11/26/2007)
12/04/2007	<u>7</u>	ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE: Proposed Case Management Order, ADR Stipulation and Rule 26 Meeting Report due by 01/04/08. Case Management Conference set for 01/11/08 at 8:00 AM before Arthur J. Schwab. This Conference will occur together with the Initial Case Management Conference of its related case 07cv1563. Signed by Judge Arthur J. Schwab on 12/04/07. (eca) (Entered: 12/04/2007)
01/04/2008	<u>8</u>	Proposed Case Management Order by MARTELL WAITE. (Waskowicz, Tiffany) (Entered: 01/04/2008)
01/04/2008	<u>9</u>	REPORT of Rule 26(f) Planning Meeting. (Waskowicz, Tiffany) (Entered: 01/04/2008)
01/04/2008	<u>10</u>	STIPULATION selecting ADR process by MARTELL WAITE (Waskowicz, Tiffany) (Entered: 01/04/2008)
01/11/2008		Minute Entry for proceedings held before Judge Arthur J. Schwab : Case Management Conference held on 1/11/2008. Case Management and Pretrial Orders issued. Parties agreed to mediate before Maria Greco Danaher. Cases 07cv1291 and 07cv1563 will be consolidated. Text-only entry; no PDF document will issue. This text-only entry constitutes the Court's order or notice on the matter. (Court Reporter: K. Earley) (ms) (Entered: 01/11/2008)
01/11/2008	<u>11</u>	CASE MANAGEMENT ORDER: Exchange of required Rule 26(a)(1) information due by 1/25/2008, Amended Pleadings due by 2/10/2008, Discovery due by 6/9/2008, Plaintiff's Pretrial Statement due by 8/1/2008, Defendant's Pretrial Statement due by 8/11/2008, Plaintiff's Expert Reports due by 5/10/2008, Defendant's Expert Reports due by 5/30/2008, Expert Depositions to be completed by 6/9/2008, Summary Judgment due by 6/29/2008, Response to Summary Judgment due by 7/9/2008, Willingness to proceed before Magistrate Judge due by 2/10/2008. Signed by Judge Arthur J. Schwab on 1/11/08. (ms) (Entered: 01/11/2008)
01/11/2008	<u>12</u>	PRETRIAL ORDER Plaintiff's witness list due by 8/1/2008, Defendant's Witness list due by 8/11/2008, Proposed Voir Dire by 8/18/2008, Points for Charge due by 8/18/2008, Proposed Verdict Slips due by 8/18/2008, Stipulation due by 8/18/2008, Motions in Limine due by 8/13/2008, Response to Motions in Limine due by 8/18/2008, Jury Trial set for 9/22/2008 at 9:00 AM in Courtroom 7C before Judge Arthur J. Schwab, Pretrial Conference set for 9/5/2008 at 8:00 AM in Courtroom 7C before Judge Arthur J. Schwab. Signed by Judge Arthur J. Schwab on 1/11/08. (ms) (Entered: 01/11/2008)
01/11/2008	<u>13</u>	ORDER REFERRING CASE to Mediation. Maria Greco Danaher is appointed as mediator. Mediation shall occur by 3/11/08. Signed by Judge Arthur J. Schwab on 1/11/08. (ms) (Entered: 01/11/2008)
01/14/2008	<u>14</u>	ORDER REGARDING CONSOLIDATION. This case is hereby designated a LEAD case. All pleadings, motions, and other documents hereafter relating to this case or the consolidated case shall be captioned and filed at Civil Action No. 07-1291. Signed by Judge Arthur J. Schwab on 01/14/08. (eca) (Entered: 01/14/2008)
01/16/2008	<u>15</u>	NOTICE of Appearance by Keenan D. Holmes on behalf of CHAMPION WINDOW MANUFACTURING & SUPPLY CO., LLC, CHAMPION WINDOWS MANUFACTURING, INC. (Holmes, Keenan) (Entered: 01/16/2008)
01/22/2008	<u>16</u>	Notice of ADR proceeding: The litigants are advised that at the conclusion of the ADR process they must submit a completed questionnaire to the Clerk of Courts. The questionnaire is available on the Court's website at www.pawd.uscourts.gov and click on the ADR icon. Mediation Conference set for 3/4/2008 09:30 AM (Danaher, Maria) (Entered: 01/22/2008)

02/28/2008		ORDER OF COURT. The parties are hereby ordered to use trial presentation technology and courtroom technology, and trial exhibit summaries (pursuant to Rule 1006 of the Federal Rules of Evidence), to the fullest extent possible. Text-only entry; no PDF document will issue. This text-only entry constitutes the Courts order or notice on the matter. Signed by Judge Arthur J. Schwab on 2/28/08. (ms) Modified on 2/29/2008 to correct typo (ksa). (Entered: 02/28/2008)
03/06/2008	<u>17</u>	REPORT of Mediation: Settlement has not been reached. Amount of discovery conducted: written discovery was conducted. Case has settled in Part. For cases participating in the Court's ADR pilot project, the parties are reminded of their obligation to complete the ADR questionnaire and return same to the Clerk of Court within 5 days of the conclusion of the ADR process. The questionnaire can be accessed at www.pawd.uscourts.gov. Click on the ADR icon. Mediation session was held on 3/4/2008. (Danaher, Maria) (Entered: 03/06/2008)
03/26/2008	<u>18</u>	ORDER SCHEDULING STATUS / SETTLEMENT CONFERENCE. A Status / Settlement Conference is hereby set for 5/15/2008 at 01:30 PM before Arthur J. Schwab. Each party shall supply the Court with confidential letters within three (3) business days of the Status / Settlement Conference. Each party shall also submit to the Court a proposed settlement agreement within three (3) business days of the Status / Settlement Conference. Signed by Judge Arthur J. Schwab on 03/26/08. (eca) (Entered: 03/26/2008)
04/08/2008		ORDER RESCHEDULING STATUS / SETTLEMENT CONFERENCE. The Status / Settlement Conference that was previously scheduled for 5/15/2008 at 01:30 PM is hereby RESCHEDULED for 5/13/2008 at 09:00 AM before Arthur J. Schwab. Each party shall supply the Court with confidential letters within three (3) business days of the rescheduled Status / Settlement Conference. Each party shall also submit to the Court a proposed settlement agreement within three (3) business days of the rescheduled Status / Settlement Conference. Signed by Judge Arthur J. Schwab on 04/08/08. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 04/08/2008)
05/12/2008	<u>19</u>	Joint MOTION to Cancel Settlement Conference re <u>18</u> Order by CHAMPION WINDOW MANUFACTURING & SUPPLY CO., LLC, CHAMPION WINDOWS MANUFACTURING, INC. (Attachments: # <u>1</u> Proposed Order) (Feldstein, Allison) Text modified on 5/13/2008 (ept). (Entered: 05/12/2008)
05/13/2008	<u>20</u>	ORDER granting <u>19</u> Motion to Cancel Settlement Conference scheduled for 05/13/08 at 9:00 AM. Said conference is hereby CANCELLED. Signed by Judge Arthur J. Schwab on 05/13/08. (eca) (Entered: 05/13/2008)
05/13/2008		TEXT ORDER. It appearing to the Court that the parties have agreed to an amicable resolution of this matter, IT IS ORDERED that the Clerk shall remove this case from the docket for administrative purposes. IT IS FURTHER ORDERED that, in the event any party fails to execute the settlement agreement, the case shall be reinstated to the docket upon written request of any party for purposes of enforcement of the settlement agreement. IT IS FINALLY ORDERED that the Court shall retain jurisdiction to enforce the terms of the settlement agreement of the parties. Clerk is to mark CASE CLOSED. Signed by Judge Arthur J. Schwab on 05/13/08. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 05/13/2008)
05/29/2008	<u>21</u>	CONSENT DECREE by EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. (Clickner, M.) (Entered: 05/29/2008)
05/30/2008	<u>22</u>	ORDER APPROVING <u>21</u> Consent Decree. Signed by Judge Arthur J. Schwab on 05/30/08. (eca) (Entered: 05/30/2008)