

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:20-cv-10812-GCS-DRG**

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DeVooght et al v. City of Warren
Assigned to: District Judge George Caram Steeh
Referred to: Magistrate Judge David R. Grand
Cause: 28:1331 Fed. Question: Employment
Discrimination

Date Filed: 03/27/2020
Jury Demand: Both
Nature of Suit: 442 Civil Rights:
Jobs
Jurisdiction: Federal Question

Plaintiff

Linda DeVooght

represented by **Kevin M. Carlson**
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Plaintiff

Tressa Sinha
TERMINATED: 02/25/2021

represented by **Kevin M. Carlson**
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ATTORNEY TO BE NOTICED

Michael L. Pitt
(See above for address)
ATTORNEY TO BE NOTICED

Robin Beth Wagner
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ATTORNEY TO BE NOTICED

Plaintiff

Jennifer Piper

represented by **Kevin M. Carlson**
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Michael L. Pitt
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ATTORNEY TO BE NOTICED

Robin Beth Wagner
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Plaintiff

Donna Tripi
TERMINATED: 07/22/2020

represented by **Kevin M. Carlson**
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ATTORNEY TO BE NOTICED

Michael L. Pitt
(See above for address)
ATTORNEY TO BE NOTICED

Robin Beth Wagner
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Plaintiff

Suzanne Chaffin
TERMINATED: 04/15/2020

represented by **Kevin M. Carlson**
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ATTORNEY TO BE NOTICED

Michael L. Pitt
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ATTORNEY TO BE NOTICED

Robin Beth Wagner
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Plaintiff

Cheryl Osowski
TERMINATED: 07/22/2020

represented by **Kevin M. Carlson**
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ATTORNEY TO BE NOTICED

Robin Beth Wagner
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Plaintiff

Dawn McLean

represented by **Kevin M. Carlson**
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Robin Beth Wagner
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Plaintiff

Amber Mavis
TERMINATED: 04/15/2020

represented by **Kevin M. Carlson**
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Robin Beth Wagner
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ATTORNEY TO BE NOTICED

V.

Defendant

City of Warren

represented by **Elizabeth P. Roberts**
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Date Filed	#	Docket Text
03/27/2020	<u>1</u>	COMPLAINT <i>For Damages, Declaratory Judgment and Injunctive Relief</i> filed by Cheryl Osowski, Donna Tripi, Linda DeVooght, Jennifer Piper, Tressa Sinha, Suzanne Chaffin against City of Warren with Jury Demand. Plaintiff requests summons issued . Receipt No: AMIEDC-7707158 - Fee: \$ 400. County of 1st Plaintiff: Macomb - County Where Action Arose: Macomb - County of 1st Defendant: Macomb. [Previously dismissed case: No] [Possible companion case(s): None] (Wagner, Robin) (Entered: 03/27/2020)
03/27/2020	<u>2</u>	Emergency MOTION for Temporary Restraining Order by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5) (Wagner, Robin) (Entered: 03/27/2020)

03/27/2020	<u>3</u>	NOTICE of Appearance by Michael L. Pitt on behalf of All Plaintiffs. (Pitt, Michael) (Entered: 03/27/2020)
03/30/2020	<u>4</u>	ATTORNEY APPEARANCE: Raechel M. Badalamenti appearing on behalf of City of Warren (Badalamenti, Raechel) (Entered: 03/30/2020)
03/30/2020	<u>5</u>	NOTICE of Appearance by Kevin M. Carlson on behalf of All Plaintiffs. (Carlson, Kevin) (Entered: 03/30/2020)
03/30/2020	<u>6</u>	NOTICE of Appearance by Elizabeth P. Roberts on behalf of All Defendants. (Roberts, Elizabeth) (Entered: 03/30/2020)
03/30/2020		A United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at http://www.mied.uscourts.gov (LGra) (Entered: 03/30/2020)
03/30/2020	<u>7</u>	SUMMONS Issued for *City of Warren* (LGra) (Entered: 03/30/2020)
03/31/2020	<u>8</u>	NOTICE TO APPEAR BY TELEPHONE: Telephonic Conference set for 4/2/2020 at 11:00 AM before District Judge George Caram Steeh **PLAINTIFF'S COUNSEL IS TO SET UP A CALL-IN NUMBER FOR ALL PARTIES TO CALL AT THE TIME OF THE CONFERENCE. PLAINTIFF'S COUNSEL IS TO NOTIFY ALL PARTIES, INCLUDING THE COURT, OF THIS NUMBER BY 4/1/2020** (BSau) (Entered: 03/31/2020)
04/01/2020	<u>9</u>	SUPPLEMENTAL BRIEF re <u>2</u> Emergency MOTION for Temporary Restraining Order filed by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) (Wagner, Robin) (Entered: 04/01/2020)
04/02/2020		Minute Entry for proceedings before District Judge George Caram Steeh: Telephonic Status Conference held on 4/2/2020. (Court Reporter: None Present, Not on the Record) (BSau) (Entered: 04/02/2020)
04/06/2020	<u>10</u>	STIPULATION AND ORDER Regarding <u>2</u> Emergency MOTION for Temporary Restraining Order and Scheduling. Signed by District Judge George Caram Steeh. (BSau) (Entered: 04/06/2020)
04/09/2020	<u>11</u>	STIPULATED SCHEDULING ORDER. Signed by District Judge George Caram Steeh. (BSau) (Entered: 04/09/2020)
04/10/2020	<u>12</u>	AMENDED COMPLAINT with Jury Demand <i>VERIFIED COMPLAINT FOR DAMAGES, DECLARATORY JUDGMENT, INJUNCTIVE</i>

		<i>RELIEF</i> filed by All Plaintiffs against City of Warren. NEW PARTIES ADDED . (Wagner, Robin) (Entered: 04/10/2020)
04/15/2020	13	NOTICE of Voluntary Dismissal by Suzanne Chaffin as to Suzanne Chaffin (Carlson, Kevin) (Entered: 04/15/2020)
04/15/2020	14	NOTICE of Voluntary Dismissal by Amber Mavis as to Amber Mavis (Carlson, Kevin) (Entered: 04/15/2020)
05/01/2020	15	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by All Defendants. (Badalamenti, Raechel) (Entered: 05/01/2020)
05/29/2020	16	STIPULATED PROTECTIVE ORDER. Signed by District Judge George Caram Steeh. (BSau) (Entered: 05/29/2020)
06/05/2020		TEXT-ONLY ORDER Regarding Scheduling Order Deadlines and Briefing Schedule. Discovery due by 7/1/2020, Dispositive Motion Cut-off set for 7/15/2020, Responses due 8/12/2020, Replies due 8/26/2020. Entered by District Judge George Caram Steeh. (BSau) (Entered: 06/05/2020)
07/08/2020	17	STIPULATED ORDER Extending Scheduling Order Deadlines and Briefing Schedule. Discovery due by 7/31/2020, Dispositive Motion Cut-off set for 8/14/2020, Responses due by 9/11/2020, Replies due by 9/25/2020. Signed by District Judge George Caram Steeh. (BSau) (Entered: 07/08/2020)
07/15/2020	18	MOTION to Compel by All Defendants. (Attachments: # 1 Index of Exhibits, # 2 Exhibit A, # 3 Exhibit B) (Badalamenti, Raechel) (Entered: 07/15/2020)
07/15/2020	19	ORDER Referring Pretrial Matters Excluding Dispositive Motions to Magistrate Judge David R. Grand including 18 Motion to Compel. Signed by District Judge George Caram Steeh. (BSau) (Entered: 07/15/2020)
07/21/2020	20	NOTICE TO APPEAR BY TELEPHONE: Status Conference set for 7/22/2020 at 11:00 AM before District Judge George Caram Steeh. **PLAINTIFF'S COUNSEL IS TO PROVIDE A NUMBER FOR THE CONFERENCE CALL TO ALL PARTIES, INCLUDING THE COURT, BY THE END OF 7/21/2020** (BSau) (Entered: 07/21/2020)
07/22/2020	21	STIPULATED ORDER of dismissal as to Plaintiffs Donna Tripi and Cheryl Osowski, only. Signed by District Judge George Caram Steeh. (BSau) (Entered: 07/22/2020)

07/22/2020		Minute Entry for proceedings before District Judge George Caram Steeh: Telephonic Status Conference held on 7/22/2020. (Court Reporter: None Present, Not on the Record) (BSau) (Entered: 07/22/2020)
07/22/2020	<u>22</u>	STIPULATION AND ORDER Extending Discovery. Discovery Cut-Off is extended to 45 days after a ruling on dispositive motions. Signed by District Judge George Caram Steeh. (BSau) (Entered: 07/22/2020)
07/22/2020	<u>23</u>	NOTICE by All Defendants of withdrawal of <u>18</u> MOTION to Compel <i>Without Prejudice or Costs</i> . (Badalamenti, Raechel) (Entered: 07/22/2020)
08/05/2020	<u>24</u>	STIPULATION re <u>10</u> Stipulation and Order, Terminate Motions by All Plaintiffs (Wagner, Robin) (Entered: 08/05/2020)
08/14/2020	<u>25</u>	STIPULATION of <i>Joint Statement of Facts in Support of Cross Motion for Summary Judgment</i> by All Plaintiffs (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13) (Wagner, Robin) (Entered: 08/14/2020)
08/14/2020	<u>26</u>	MOTION re <u>25</u> Stipulation, by All Plaintiffs. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11) (Wagner, Robin) (Entered: 08/14/2020)
08/14/2020	<u>27</u>	MOTION for Summary Judgment by All Defendants. (Attachments: # <u>1</u> Index of Exhibits Index of Ex. 1-5, # <u>2</u> Exhibit 1: Affidavit of Cptn Bonett, # <u>3</u> Exhibit 2: PLfs Expert Report, # <u>4</u> Exhibit 3: CTO Records, # <u>5</u> Exhibit 4: Union Documents, # <u>6</u> Exhibit 5: Unpublished Cases) (Badalamenti, Raechel) (Entered: 08/14/2020)
09/04/2020	<u>28</u>	RESPONSE to <u>27</u> MOTION for Summary Judgment filed by Linda DeVooght, Dawn McLean, Jennifer Piper, Tressa Sinha. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) (Wagner, Robin) (Entered: 09/04/2020)
09/11/2020	<u>29</u>	RESPONSE to <u>26</u> MOTION re <u>25</u> Stipulation, filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits Index of Exs 1-3, # <u>2</u> Exhibit 1: Unpub. Cases, # <u>3</u> Exhibit 2: Website Prints re Dispatch Job, # <u>4</u> Exhibit 3: Dispatch Center by County) (Badalamenti, Raechel) (Entered: 09/11/2020)
09/25/2020	<u>30</u>	REPLY to Response re <u>26</u> MOTION re <u>25</u> Stipulation, filed by All Plaintiffs. (Carlson, Kevin) (Entered: 09/25/2020)

09/25/2020	<u>31</u>	REPLY to Response re <u>27</u> MOTION for Summary Judgment filed by All Defendants. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 6) (Badalamenti, Raechel) (Entered: 09/25/2020)
10/09/2020	<u>32</u>	MOTION for Leave to File <i>Amended Complaint</i> by Linda DeVooght, Dawn McLean, Jennifer Piper, Tressa Sinha. (Attachments: # <u>1</u> Exhibit 1) (Wagner, Robin) (Entered: 10/09/2020)
10/22/2020	<u>33</u>	STIPULATED ORDER Extending Briefing on Plaintiff's <u>32</u> MOTION for Leave to File <i>Amended Complaint</i> . Response due by 11/12/2020. Signed by District Judge George Caram Steeh. (BSau) (Entered: 10/22/2020)
11/02/2020	<u>34</u>	NOTICE OF HEARING BY VIDEO CONFERENCE on <u>26</u> MOTION re <u>25</u> Stipulation, , <u>27</u> MOTION for Summary Judgment . Motion Hearing set for 11/12/2020 at 10:00 AM before District Judge George Caram Steeh. Zoom Webinar Information: https://www.zoomgov.com/j/1619065643?pwd=ZjBqSnV0TDdRNTgxTFhsUDlrR1drdz09 Passcode: 178421 Or iPhone one-tap : US: +16692545252,,1619065643# or +16468287666,,1619065643#. (BSau) (Entered: 11/02/2020)
11/12/2020		Minute Entry for proceedings before District Judge George Caram Steeh: Motion Hearing held on 11/12/2020 re <u>27</u> MOTION for Summary Judgment filed by City of Warren, <u>26</u> MOTION re <u>25</u> Stipulation, filed by Dawn McLean, Suzanne Chaffin, Linda DeVooght, Jennifer Piper, Amber Mavis, Donna Tripi, Cheryl Osowski, Tressa Sinha. Disposition: Motions taken under advisement. (Court Reporter: Rob Smith) (BSau) (Entered: 11/12/2020)
11/13/2020	<u>35</u>	STIPULATION AND ORDER Granting Plaintiff's <u>32</u> Motion for Leave to File Second Amended Complaint. Signed by District Judge George Caram Steeh. (BSau) (Entered: 11/13/2020)
11/13/2020	<u>36</u>	AMENDED COMPLAINT with Jury Demand <i>Verified and Stipulated</i> filed by Jennifer Piper, Dawn McLean, Tressa Sinha, Linda DeVooght against City of Warren. NO NEW PARTIES ADDED. (Wagner, Robin) (Entered: 11/13/2020)
11/16/2020	<u>37</u>	OPINION AND ORDER Denying Plaintiff's <u>26</u> Motion for Partial Summary Judgment and Denying Defendant's <u>27</u> Motion to Dismiss or for Summary Judgment and Ordering parties to submit a new proposed scheduling order by December 4, 2020 . Signed by District Judge George Caram Steeh. (BSau) (Entered: 11/16/2020)

11/27/2020	38	ANSWER to Amended Complaint with Affirmative Defenses with Jury Demand by All Defendants. (Badalamenti, Raechel) (Entered: 11/27/2020)
12/04/2020	39	SCHEDULING ORDER: Discovery due by 3/1/2021, Dispositive Motion Cut-off set for 4/30/2021, Final Pretrial Conference set for 8/17/2021 at 2:00 PM before District Judge George Caram Steeh, Bench Trial set for 8/31/2021 at 9:00 AM before District Judge George Caram Steeh. Signed by District Judge George Caram Steeh. (Refer to image for additional dates) (BSau) (Entered: 12/04/2020)
12/30/2020	40	MOTION to Compel <i>Production of Discovery</i> by Linda DeVooght, Dawn McLean, Jennifer Piper, Tressa Sinha. (Attachments: # 1 Index of Exhibits, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5) (Wagner, Robin) (Entered: 12/30/2020)
01/08/2021	41	TRANSCRIPT of Motion Hearing held on 11/12/2020. (Court Reporter/Transcriber: Robert L. Smith) (Number of Pages: 43) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 1/29/2021. Redacted Transcript Deadline set for 2/8/2021. Release of Transcript Restriction set for 4/8/2021. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Smith, R.) (Entered: 01/08/2021)
01/13/2021	42	RESPONSE to 40 MOTION to Compel <i>Production of Discovery</i> filed by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exs. A-H, # 2 Exhibit A: July 20 2020 Correspondence, # 3 Exhibit B: July 21 2020 Request for Court Conference, # 4 Exhibit C: Dec. 22 2020 Correspondence, # 5 Exhibit D: Dec. 23 2020 Correspondence, # 6 Exhibit E: Dec. 29 2020 Correspondence, # 7 Exhibit F: Resp to Subj Discov and Affidavit, # 8 Exhibit G: Jan. 7-8 2021 Correspondence, # 9 Exhibit H: Jan. 11 2021 Correspondence) (Badalamenti, Raechel) (Entered: 01/13/2021)
01/14/2021	43	MOTION to Quash <i>Subpoenas to WPCOA and WPOA</i> by All Defendants. (Attachments: # 1 Index of Exhibits Index of Exs. A-B, # 2 Exhibit A: July 2020 Subpoenas, # 3 Exhibit B: December 2020 Subpoenas) (Badalamenti, Raechel) (Entered: 01/14/2021)
01/14/2021	44	NOTICE of Appearance by James M. Moore on behalf of City of Warren. (Moore, James) (Entered: 01/14/2021)

01/14/2021	45	MOTION to Quash <i>Subpoena</i> by City of Warren. (Moore, James) (Entered: 01/14/2021)
01/28/2021	46	SECOND STIPULATED ORDER Extending Scheduling Order Deadlines. Discovery due by 4/30/2021, Dispositive Motion Cut-off set for 6/29/2021, Final Pretrial Conference reset for 10/25/2021 at 10:00 AM before District Judge George Caram Steeh, Bench Trial reset for 11/8/2021 at 9:00 AM before District Judge George Caram Steeh) Signed by District Judge George Caram Steeh. (BSau) (Entered: 01/28/2021)
01/28/2021	47	JOINT STIPULATION AND PROPOSED ORDER REGARDING DISCOVERY MATTERS. Signed by Magistrate Judge David R. Grand. (EBut) (Entered: 01/28/2021)
02/25/2021	48	STIPULATED ORDER of Dismissal as to Plaintiff Tressa Sinha, only. Signed by District Judge George Caram Steeh. (BSau) (Entered: 02/25/2021)
03/10/2021	49	MOTION to Compel <i>Dep of Dwyer and Production of Documents</i> by Linda DeVooght, Dawn McLean, Jennifer Piper. (Attachments: # 1 Index of Exhibits Index, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13) (Wagner, Robin) (Entered: 03/10/2021)

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