

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:14-cv-13710-SFC-DRG**

Equal Employment Opportunity Commission v. R.G. & G.R.
Harris Funeral Homes, Inc.
Assigned to: District Judge Sean F. Cox
Referred to: Magistrate Judge David R. Grand
Case in other court: U.S. Court of Appeals – Sixth
Circuit, 16-02424
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/25/2014
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Miles Shultz**
U.S. Equal Employment Opportunity
Commission
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

**R.G. & G.R. Harris Funeral Homes,
Inc.**
31551 Ford Road
Garden City, MI 48135

represented by **Douglas G. Wardlow**
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Interested Party

Aimee Stephens

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**American Civil Liberties Union of
Michigan**

represented by **Jay Kaplan**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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09/25/2014	<u>1</u>	COMPLAINT filed by Equal Employment Opportunity Commission against R.G. & G.R. Harris Funeral Homes, Inc. with Jury Demand. Plaintiff requests summons issued . No Fee Required – US Government. County of 1st Plaintiff: USA – County Where Action Arose: Wayne – County of 1st Defendant: Wayne . [Previously dismissed case: No] [Possible companion case(s): None] (Price, Dale) (Entered: 09/25/2014)
09/25/2014	<u>2</u>	NOTICE of Appearance by Miles Shultz on behalf of Equal Employment Opportunity Commission. (Shultz, Miles) (Entered: 09/25/2014)
09/26/2014	<u>3</u>	SUMMONS Issued for *R.G. & G.R. Harris Funeral Homes, Inc.* (DWor) (Entered: 09/26/2014)
10/06/2014	<u>4</u>	CERTIFICATE of Service/Summons Returned Executed. All Defendants. (Price, Dale) (Entered: 10/06/2014)
10/17/2014	<u>5</u>	STIPULATION AND ORDER Extending Time for Defendant to Respond re <u>1</u> Complaint. (Responsive Pleading due by 11/19/2014) Signed by District Judge Sean F. Cox. (JMcC) (Entered: 10/17/2014)
11/18/2014	<u>6</u>	NOTICE of Appearance by Joel J. Kirkpatrick on behalf of R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 11/18/2014)
11/19/2014	<u>7</u>	MOTION to Dismiss <i>Complaint</i> by R.G. & G.R. Harris Funeral Homes, Inc.. (Attachments: # <u>1</u> Exhibit A – Vickers case, # <u>2</u> Exhibit B – Price Case, # <u>3</u> Exhibit C – Oiler case) (Kirkpatrick, Joel) (Entered: 11/19/2014)
12/08/2014	<u>8</u>	NOTICE OF HEARING on <u>7</u> MOTION to Dismiss <i>Complaint</i> . Motion Hearing set for 4/2/2015 02:00 PM before District Judge Sean F. Cox (JMcC) (Entered: 12/08/2014)
12/10/2014	<u>9</u>	RESPONSE to <u>7</u> MOTION to Dismiss <i>Complaint</i> filed by Equal Employment Opportunity Commission. (Price, Dale) (Entered: 12/10/2014)
12/23/2014	<u>10</u>	REPLY to Response re <u>7</u> MOTION to Dismiss <i>Complaint</i> filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Attachments: # <u>1</u> Exhibit Eure case) (Kirkpatrick, Joel) (Entered: 12/23/2014)
01/26/2015	<u>11</u>	NOTICE OF RESCHEDULED HEARING on <u>7</u> MOTION to Dismiss <i>Complaint</i> . Motion Hearing set for 4/16/2015 04:00 PM before District Judge Sean F. Cox (JMcC) (Entered: 01/26/2015)
04/15/2015		Set/Reset Deadlines as to <u>7</u> MOTION to Dismiss <i>Complaint</i> . Motion Hearing set for 4/16/2015 04:00 PM before District Judge Sean F. Cox, in Courtroom 861, Judge Duggan's Courtroom (LOCATION CHANGE ONLY) (JMcC) (Entered: 04/15/2015)
04/16/2015		Minute Entry for proceedings before District Judge Sean F. Cox: Motion Hearing held on 4/16/2015 re <u>7</u> MOTION to Dismiss <i>Complaint</i> filed by R.G. & G.R. Harris Funeral Homes, Inc. Disposition: Taken Under Advisement (Court Reporter Marie Metcalf) (JMcC) (Entered: 04/17/2015)
04/21/2015	<u>12</u>	OPINION and ORDER Denying <u>7</u> MOTION to Dismiss <i>Complaint</i> . Signed by District Judge Sean F. Cox. (JMcC) (Entered: 04/21/2015)
04/23/2015	<u>13</u>	AMENDED OPINION and ORDER Denying <u>7</u> MOTION to Dismiss <i>Complaint</i> Signed by District Judge Sean F. Cox. (JMcC) (Entered: 04/23/2015)
04/29/2015	<u>14</u>	ANSWER to Complaint with Affirmative Defenses with Jury Demand by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 04/29/2015)
04/30/2015	<u>15</u>	NOTICE TO APPEAR: Scheduling Conference set for 5/26/2015 02:30 PM before District Judge Sean F. Cox (JMcC) (Entered: 04/30/2015)
05/06/2015	<u>16</u>	NOTICE of Appearance by Joseph Paul Infranco on behalf of R.G. & G.R. Harris Funeral Homes, Inc.. (Infranco, Joseph) (Entered: 05/06/2015)
05/12/2015	<u>17</u>	DISCOVERY plan jointly filed pursuant to Federal Rules of Civil Procedure 26(f) (Price, Dale) (Entered: 05/12/2015)

05/19/2015	<u>18</u>	MOTION to Amend/Correct <u>1</u> Complaint,, by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A, First Amended Complaint and Jury Demand) (Price, Dale) (Entered: 05/19/2015)
05/26/2015		Minute Entry for proceedings before District Judge Sean F. Cox: Scheduling Conference held on 5/26/2015. (JMcC) (Entered: 05/26/2015)
05/26/2015	<u>19</u>	SCHEDULING ORDER: Discovery due by 2/1/2016 Motion Cut-off set for 3/31/2016 Final Pretrial Conference set for 7/11/2016 02:00 PM before District Judge Sean F. Cox Trailing Trial Docket set for September/October 2016 Signed by District Judge Sean F. Cox. (Refer to image for additional dates) (JMcC) (Entered: 05/26/2015)
05/26/2015		TEXT-ONLY ORDER GRANTING <u>18</u> MOTION to Amend/Correct <u>1</u> Complaint, filed by Equal Employment Opportunity Commission. Entered by District Judge Sean F. Cox. (JMcC) (Entered: 05/26/2015)
05/29/2015	<u>20</u>	ANSWER to Amended complaint filed May 26, 2015 by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 05/29/2015)
06/01/2015		TEXT-ONLY ORDER Requiring Plaintiff to File Amended Complaint within five (5) days of the date of this Order re Text-Only Order Granting <u>18</u> MOTION to Amend/Correct Complaint, filed by Equal Employment Opportunity Commission Leave to File Amended Complaint. Entered by District Judge Sean F. Cox. (JMcC) (Entered: 06/01/2015)
06/01/2015	<u>21</u>	AMENDED COMPLAINT with Jury Demand filed by Equal Employment Opportunity Commission against R.G. & G.R. Harris Funeral Homes, Inc.. NO NEW PARTIES ADDED. (Price, Dale) (Entered: 06/01/2015)
06/04/2015	<u>22</u>	ANSWER to Amended Complaint with Affirmative Defenses by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 06/04/2015)
07/14/2015	<u>23</u>	MOTION for Protective Order by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A: Defendants First Set of Interrogatories, Requests for Documents and Admissions) (Shultz, Miles) (Entered: 07/14/2015)
07/17/2015	<u>24</u>	ORDER REFERRING MOTION to Magistrate Judge David R. Grand: <u>23</u> MOTION for Protective Order filed by Equal Employment Opportunity Commission. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 07/17/2015)
07/28/2015	<u>25</u>	RESPONSE to <u>23</u> MOTION for Protective Order filed by All Defendants. (Attachments: # <u>1</u> Document Continuation Appendix, # <u>2</u> Index of Exhibits Index of Exhibits, # <u>3</u> Exhibit EEOC Press Release, # <u>4</u> Exhibit Email Exchange July 2015) (Kirkpatrick, Joel) (Entered: 07/28/2015)
07/31/2015	<u>26</u>	NOTICE OF HEARING on <u>23</u> MOTION for Protective Order . Motion Hearing set for 8/12/2015 10:00 AM before Magistrate Judge David R. Grand (EBut) (Entered: 07/31/2015)
08/05/2015	<u>27</u>	RENOTICE OF HEARING on <u>23</u> MOTION for Protective Order . Motion Hearing set for 8/28/2015 02:00 PM before Magistrate Judge David R. Grand (EBut) (Entered: 08/05/2015)
08/07/2015	<u>28</u>	REPLY to Response re <u>23</u> MOTION for Protective Order filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit B, Commission's Response to Defendant's First Set of Interrogatories, Requests for Documents and Admissions) (Shultz, Miles) (Entered: 08/07/2015)
09/01/2015	<u>29</u>	STIPULATION AND ORDER to file exhibit under seal. Signed by Magistrate Judge David R. Grand. (DPer) (Entered: 09/01/2015)
09/01/2015	<u>30</u>	SEALED EXHIBIT by All Plaintiffs. (Shultz, Miles) (Entered: 09/01/2015)
09/01/2015	<u>31</u>	<i>Defendant preliminary Law</i> WITNESS LIST by R.G. & G.R. Harris Funeral Homes, Inc. (Kirkpatrick, Joel) (Entered: 09/01/2015)
09/01/2015	<u>32</u>	WITNESS LIST by Equal Employment Opportunity Commission (Price, Dale) (Entered: 09/01/2015)

09/02/2015		Minute Entry for proceedings before Magistrate Judge David R. Grand: Motion Hearing held on 8/28/2015 re <u>23</u> MOTION for Protective Order filed by Equal Employment Opportunity Commission. Disposition: taken under advisement(Court Reporter Digitally Recorded) (EBut) (Entered: 09/02/2015)
09/22/2015	<u>33</u>	TRANSCRIPT of Motion Hearing held on 8/28/15. (Court Reporter/Transcriber: Christin E. Russell) (Number of Pages: 26) 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 10/13/2015. Redacted Transcript Deadline set for 10/23/2015. Release of Transcript Restriction set for 12/21/2015. 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. (Russell, C.) (Entered: 09/22/2015)
09/24/2015	<u>34</u>	ORDER granting in part and denying in part <u>23</u> Motion for Protective Order. Signed by Magistrate Judge David R. Grand. (EBut) (Entered: 09/24/2015)
10/01/2015	<u>35</u>	<i>Notice of Expert</i> WITNESS LIST by R.G. & G.R. Harris Funeral Homes, Inc. (Kirkpatrick, Joel) (Entered: 10/01/2015)
10/06/2015	<u>36</u>	[DOCKET ERROR- WRONG EVENT USED - DOCUMENT IS DEFENDANT R.G. & G.R. HARRIS FUNERAL HOMES, INC.'S OBJECTIONS TO THE MAGISTRATES ORDER GRANTING IN PART AND DENYING IN PART EEOCS MOTION FOR PROTECTIVE ORDER] MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order</i> by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) Modified on 10/7/2015 (LGra). (Entered: 10/06/2015)
10/23/2015	<u>37</u>	RESPONSE to <u>36</u> MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A: August 28, 2015, Hrg Tr.) (Shultz, Miles) (Entered: 10/23/2015)
10/30/2015	<u>38</u>	[STRICKEN PER ORDER DATED 11/5/2015] REPLY to Response re <u>36</u> MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order</i> filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) Modified on 11/5/2015 (KWin). (Entered: 10/30/2015)
11/03/2015	<u>39</u>	MOTION for Leave to File Excess Pages <i>for Defendant reply brief</i> by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 11/03/2015)
11/04/2015	<u>40</u>	RESPONSE to <u>39</u> MOTION for Leave to File Excess Pages <i>for Defendant reply brief</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A: November 3, 2015, email) (Shultz, Miles) (Entered: 11/04/2015)
11/05/2015		TEXT-ONLY ORDER Denying <u>39</u> MOTION for Leave to File Excess Pages <i>for Defendant reply brief</i> filed by R.G. & G.R. Harris Funeral Homes, Inc., and Striking <u>38</u> REPLY to Response re <u>36</u> MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order</i> filed by R.G. & G.R. Harris Funeral Homes, Inc. Signed by District Judge Sean F. Cox. (KWin) (Entered: 11/05/2015)
11/09/2015	<u>41</u>	REPLY to Response re <u>36</u> MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order Compliant Brief</i> filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Kirkpatrick, Joel) (Entered: 11/09/2015)
11/12/2015	<u>42</u>	Corrected Version of <u>33</u> TRANSCRIPT of Motion Hearing held on 8/28/2015. Release of Transcript Restriction set for 12/21/2015. (Russell, C.) (Entered: 11/12/2015)
11/18/2015	<u>43</u>	<i>Plaintiff's First Amended</i> WITNESS LIST by All Plaintiffs (Price, Dale) (Entered: 11/18/2015)

11/24/2015	<u>44</u>	STIPULATION TO EXTEND DEFENDANTS TIME TO SUBMIT ITS EXPERT WITNESS REPORT, (Defendant's Expert Witness Report due by 12/15/15 and Plaintiff's Response due by 2/1/2016.) Signed by District Judge Sean F. Cox. (KWin) (Entered: 11/24/2015)
11/25/2015	<u>45</u>	ORDER OVERRULING <u>36</u> DOCKET ERROR- WRONG EVENT USED - DOCUMENT IS DEFENDANT R.G. & G.R. HARRIS FUNERAL HOMES, INC.S OBJECTIONS TO THE MAGISTRATES ORDER GRANTING IN PART AND DENYING IN PART EEOCS MOTION FOR PROTECTIVE ORDER MOTION to Set Aside <i>Plaintiff's Objections To The Magistrates Order Granting In Part And Denying In Part EEOCs Motion For Protective Order</i> filed by R.G. & G.R. Harris Funeral Homes, Inc. Signed by District Judge Sean F. Cox. (KWin) (Entered: 11/25/2015)
12/22/2015	<u>46</u>	STIPULATED CONFIDENTIALITY PROTECTIVE ORDER. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 12/22/2015)
01/21/2016	<u>47</u>	MOTION for Withdrawal of Attorney Laurie A. Young by Equal Employment Opportunity Commission. (Shultz, Miles) (Entered: 01/21/2016)
01/25/2016		TEXT-ONLY ORDER Deeming a Moot re <u>47</u> MOTION for Withdrawal of Attorney Laurie A. Young filed by Equal Employment Opportunity Commission. Attorney Laurie A. Young has not filed an appearance in this matter. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 01/25/2016)
02/03/2016	<u>48</u>	ORDER REFERRING CASE to Mediation. Final Pretrial Conference set for 7/11/2016 02:00 PM before District Judge Sean F. Cox. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 02/03/2016)
03/15/2016	<u>49</u>	STIPULATION AND ORDER Extending Motion Filing Deadline. (Motion Cut-off set for 4/7/2016) Signed by District Judge Sean F. Cox. (JMcC) (Entered: 03/15/2016)
04/07/2016	<u>50</u>	Ex Parte MOTION for Leave to File Excess Pages by Equal Employment Opportunity Commission. (Price, Dale) (Entered: 04/07/2016)
04/07/2016	<u>51</u>	MOTION for Summary Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A--Stephens Letter, # <u>3</u> Exhibit B--Rost 30(b)(6) Dep., # <u>4</u> Exhibit C--Notice of 30(b)(6) Dep., # <u>5</u> Exhibit D--Daily Bread Devotional, # <u>6</u> Exhibit E--Jesus card, # <u>7</u> Exhibit F--Shaffer Dep., # <u>8</u> Exhibit G--RGGR Mission Statement, # <u>9</u> Exhibit H--Nemeth Dep., # <u>10</u> Exhibit I--Kish Dep., # <u>11</u> Exhibit J--Cash Dep., # <u>12</u> Exhibit K--Crawford Dep, # <u>13</u> Exhibit L--Matthew Rost Dep., # <u>14</u> Exhibit M--McKie Dep., # <u>15</u> Exhibit N--Kowalewski Dep., # <u>16</u> Exhibit Rost Personal Dep., # <u>17</u> Exhibit P--Clothing Allowance Checks, # <u>18</u> Exhibit Q--Stephens Dep., # <u>19</u> Exhibit R--Articles of Incorporation, # <u>20</u> Exhibit S--Dress Code, # <u>21</u> Exhibit T--Answers to Interrogatories, # <u>22</u> Exhibit Fabian Case, # <u>23</u> Exhibit McKnight Case, # <u>24</u> Exhibit Wilson Case) (Price, Dale) (Entered: 04/07/2016)
04/07/2016	<u>52</u>	STATEMENT of Material Facts Not in Dispute by Equal Employment Opportunity Commission (Price, Dale) (Entered: 04/07/2016)
04/07/2016	<u>53</u>	MOTION for Summary Judgment by R.G. & G.R. Harris Funeral Homes, Inc.. (Attachments: # <u>1</u> Memorandum of Law in Support of Motion for Summary Judgment, # <u>2</u> Index of Exhibits, # <u>3</u> Exhibit 1 - Affidavit of Thomas Rost, # <u>4</u> Exhibit 2 - Affidavit of Shannon Kish, # <u>5</u> Exhibit 3 - Excerpts from Rule 30(b)(6) Deposition of Thomas Rost, # <u>6</u> Exhibit 4 - Excerpts from Deposition of Thomas Rost, # <u>7</u> Exhibit 5 - Excerpts from Deposition of Shannon Kish, # <u>8</u> Exhibit 6 - Excerpts from Deposition of George Crawford, # <u>9</u> Exhibit 7 - Excerpts from Deposition of Delores Nemeth, # <u>10</u> Exhibit 8 - Excerpts from Deposition of David Cash, # <u>11</u> Exhibit 9 - Excerpts from Deposition of David Kowalewski, # <u>12</u> Exhibit 10 - Excerpts from Deposition of Matthew Rost, # <u>13</u> Exhibit 11 - Excerpts from Deposition of Michelle Peterson, # <u>14</u> Exhibit 12 - Excerpts from Deposition of Troy Shaffer, # <u>15</u> Exhibit 13 - Excerpts from Deposition of Wendy McKie, # <u>16</u> Exhibit 14 -Excerpts from Deposition of Aimee Stephens, # <u>17</u> Exhibit 15 - RG Webpage, # <u>18</u> Exhibit 16 - EEOC Affidavit of Thomas Rost, # <u>19</u> Exhibit 17 - EEOC Affidavit of Shannon Kish, # <u>20</u> Exhibit 18 - EEOC Affidavit of George Crawford, # <u>21</u> Exhibit 19 - RG Employee Manual, # <u>22</u> Exhibit 20 - Stephens's Letter, # <u>23</u> Exhibit 21 - EEOC Charge of Discrimination, # <u>24</u> Exhibit 22 - Response to Charge of Discrimination, #

		<u>25</u> Exhibit 23 – EEOC Memo for File, # <u>26</u> Exhibit 24 – Order and Petition for Name Change, # <u>27</u> Exhibit 25 – Plaintiff's Response to First Set of Discovery, # <u>28</u> Exhibit 26 – Plaintiff's First Supplemental Response to First Set of Discovery, # <u>29</u> Exhibit 27 – Defendant's Response to First Set of Discovery, # <u>30</u> Exhibit 28 – Defendant's Response to Second Set of Discovery, # <u>31</u> Exhibit 29 – Barker v. Taft, # <u>32</u> Exhibit 30 – Burwell v. Hobby Lobby, # <u>33</u> Exhibit 31 – EEOC v. Bailey, # <u>34</u> Exhibit 32 – Jespersen v. Harrah's, # <u>35</u> Exhibit 33 – Price Waterhouse v. Hopkins, # <u>36</u> Exhibit 34 – Smith v. City of Salem) (Campbell, James) (Entered: 04/07/2016)
04/07/2016	<u>54</u>	MOTION for Summary Judgment <i>and Memorandum of Law in Support of Motion for Summary Judgment</i> by R.G. & G.R. Harris Funeral Homes, Inc.. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 – Affidavit of Thomas Rost, # <u>3</u> Exhibit 2 – Affidavit of Shannon Kish, # <u>4</u> Exhibit 3 – Excerpts from Deposition of Thomas Rost, # <u>5</u> Exhibit 4 – Excerpts from 30(b)(6) Deposition of Thomas Rost, # <u>6</u> Exhibit 5 – Excerpts from Deposition of Shannon Kish, # <u>7</u> Exhibit 6 – Excerpts from Deposition of George Crawford, # <u>8</u> Exhibit 7 – Excerpts from Deposition of Delores Nemeth, # <u>9</u> Exhibit 8 – Excerpts from Deposition of David Cash, # <u>10</u> Exhibit 9 – Excerpts from Deposition of David Kowalewski, # <u>11</u> Exhibit 10 – Excerpts from Deposition of Matthew Rost, # <u>12</u> Exhibit 11 – Excerpts from Deposition of Michelle Petersen, # <u>13</u> Exhibit 12 – Excerpts from Deposition of Troy Shaffer, # <u>14</u> Exhibit 13 – Excerpts from Deposition of Wendy McKie, # <u>15</u> Exhibit 14 – Excerpts from Deposition of Aimee Stephens, # <u>16</u> Exhibit 15 – R.G. Webpage, # <u>17</u> Exhibit 16 – EEOC Affidavit of Thomas Rost, # <u>18</u> Exhibit 17 – EEOC Affidavit of Shannon Kish, # <u>19</u> Exhibit 18 – EEOC Affidavit of George Crawford, # <u>20</u> Exhibit 19 – R.G. Employee Manual, # <u>21</u> Exhibit 20 – Stephens's Letter, # <u>22</u> Exhibit 21 – EEOC Charge of Discrimination, # <u>23</u> Exhibit 22 – Response to Charge of Discrimination, # <u>24</u> Exhibit 23 – EEOC Memo for File, # <u>25</u> Exhibit 24 – Order and Petition for Name Change, # <u>26</u> Exhibit 25 – Plaintiff's Response to Defendant's First Set of Discovery, # <u>27</u> Exhibit 26 – Plaintiff's First Supplemental Response to Defendant's First Set of Discovery, # <u>28</u> Exhibit 27 – Defendant's Response to Plaintiff's First Set of Discovery, # <u>29</u> Exhibit 28 – Defendant's Response to Plaintiff's Second Set of Discovery, # <u>30</u> Exhibit 29 – Barker v. Taft Broadcasting Co., # <u>31</u> Exhibit 30 – Burwell v. Hobby Lobby, # <u>32</u> Exhibit 31 – EEOC v. Bailey Co., # <u>33</u> Exhibit 32 – Jespersen v. Harrah's, # <u>34</u> Exhibit 33 – Price Waterhouse v. Hopkins, # <u>35</u> Exhibit 34 – Smith v. City of Salem) (Campbell, James) (Entered: 04/07/2016)
04/07/2016	<u>55</u>	STATEMENT of Material Facts Not in Dispute by R.G. & G.R. Harris Funeral Homes, Inc. (Campbell, James) (Entered: 04/07/2016)
04/08/2016		TEXT-ONLY ORDER Granting <u>50</u> Ex Parte MOTION for Leave to File Excess Pages filed by Equal Employment Opportunity Commission. Signed by District Judge Sean F. Cox. (JMCC) (Entered: 04/08/2016)
04/12/2016		TEXT-ONLY NOTICE Adjourning 7/11/2016 Final Pretrial Conference Without Date. (JMCC) (Entered: 04/12/2016)
04/12/2016	<u>56</u>	NOTICE OF HEARING on <u>51</u> MOTION for Summary Judgment, <u>54</u> MOTION for Summary Judgment. Motion Hearing set for 8/4/2016 02:00 PM before District Judge Sean F. Cox (JMCC) (Entered: 04/12/2016)
04/15/2016	<u>57</u>	MOTION for Leave to File <i>Amicus Brief (Unopposed Motion)</i> by American Civil Liberties Union, American Civil Liberties Union of Michigan. (Attachments: # <u>1</u> Exhibit A – ACLU Amicus Brief) (Kaplan, Jay) (Entered: 04/15/2016)
04/19/2016	<u>58</u>	NOTICE OF RESCHEDULED HEARING on <u>51</u> MOTION for Summary Judgment, <u>54</u> MOTION for Summary Judgment. Motion Hearing set for 8/11/2016 02:00 PM before District Judge Sean F. Cox (JMCC) (Entered: 04/19/2016)
04/21/2016		TEXT-ONLY ORDER Granting re <u>57</u> MOTION for Leave to File <i>Amicus Brief (Unopposed Motion)</i> filed by American Civil Liberties Union, American Civil Liberties Union of Michigan. Signed by District Judge Sean F. Cox. (JMCC) (Entered: 04/21/2016)
04/21/2016	<u>59</u>	Amicus Curiae BRIEF by American Civil Liberties Union, American Civil Liberties Union of Michigan (Kaplan, Jay) (Entered: 04/21/2016)

05/02/2016	<u>60</u>	RESPONSE to <u>51</u> MOTION for Summary Judgment filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit Ex 35 – Deposition Excerpts of Aimee Stephens, # <u>3</u> Exhibit Ex 36 – Deposition Excerpts of Thomas Rost, # <u>4</u> Exhibit Ex 37 – Deposition Excerpts of Delores Nemeth, # <u>5</u> Exhibit Ex 38 – Deposition Excerpts of George Crawford, # <u>6</u> Exhibit Ex 39 – Deposition Excerpts of Wendy McKie, # <u>7</u> Exhibit Ex 40 – Deposition Excerpts of Shannon Kish) (Wardlow, Douglas) (Entered: 05/02/2016)
05/02/2016	<u>61</u>	STATEMENT of Counter–Statement of Disputed Facts by R.G. & G.R. Harris Funeral Homes, Inc. (Wardlow, Douglas) (Entered: 05/02/2016)
05/02/2016	<u>62</u>	Ex Parte MOTION for Leave to File <i>Excess Pages</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A, Response to Defendant's Motion for Summary Judgment) (Price, Dale) (Entered: 05/02/2016)
05/02/2016	<u>63</u>	RESPONSE to <u>54</u> MOTION for Summary Judgment <i>and Memorandum of Law in Support of Motion for Summary Judgment</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit U, Charge, # <u>3</u> Exhibit V, Onsite Investigation Notes, # <u>4</u> Exhibit W, Letter of Determination, # <u>5</u> Exhibit X, Rost 30(b)(6) Dep., # <u>6</u> Exhibit Y, Kowalewski Dep., # <u>7</u> Exhibit Z, Cash Dep., # <u>8</u> Exhibit AA, Kish Dep., # <u>9</u> Exhibit AB, Shaffer Dep., # <u>10</u> Exhibit AC, Crawford Dep., # <u>11</u> Exhibit AD, Rost Dep., # <u>12</u> Exhibit AE, Stephens Dep., # <u>13</u> Exhibit AF, Severance Agreement, # <u>14</u> Exhibit AG, McKie Dep., # <u>15</u> Exhibit AH, http://sammichaels.com/about/ , # <u>16</u> Exhibit AI, Defendants Position Statement, # <u>17</u> Exhibit AJ, The Experience of Healing Diagrams, # <u>18</u> Exhibit Case 1, Chavez v. Credit Nation Auto Sales, __Fed.Appx.__, 2016 WL 158820 (11th Cir. Jan. 14, 2006), # <u>19</u> Exhibit Case 2, Dawson v. H&H Elec., Inc., No. 4:14–00583, 2015 WL 5437101 (E.D. Ark. Sept. 15, 2015), # <u>20</u> Exhibit Case 3, Fabian v. Hospital of Central Connecticut, No. 3:12–cv–1154, __F. Supp. 3d __, 2016 WL 1089178 (D. Conn. March 18, 2016), # <u>21</u> Exhibit Case 4, G.G. v. Gloucester Cty. School Bd., __F.3d __, 2016 WL 1567467 (4th Cir. Apr. 19, 2016)) (Price, Dale) (Entered: 05/02/2016)
05/02/2016	<u>64</u>	STATEMENT of Counter–Statement of Disputed Facts by Equal Employment Opportunity Commission (Price, Dale) (Entered: 05/02/2016)
05/03/2016		TEXT–ONLY ORDER Granting <u>62</u> Ex Parte MOTION for Leave to File <i>Excess Pages</i> filed by Equal Employment Opportunity Commission. Signed by District Judge Sean F. Cox. (JMCC) (Entered: 05/03/2016)
05/06/2016	<u>65</u>	STIPULATION AND ORDER to Postpone Case Evaluation. Signed by District Judge Sean F. Cox. (JMCC) (Entered: 05/06/2016)
05/19/2016	<u>66</u>	Ex Parte MOTION for Leave to File Excess Pages by R.G. & G.R. Harris Funeral Homes, Inc.. (Wardlow, Douglas) (Entered: 05/19/2016)
05/19/2016	<u>67</u>	REPLY to Response re <u>54</u> MOTION for Summary Judgment <i>and Memorandum of Law in Support of Motion for Summary Judgment</i> filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Wardlow, Douglas) (Entered: 05/19/2016)
05/19/2016	<u>68</u>	STATEMENT of Plaintiffs Reply to Defendants Counter Statement of Material Facts Not in Dispute by Equal Employment Opportunity Commission (Price, Dale) (Entered: 05/19/2016)
05/19/2016	<u>69</u>	REPLY to Response re <u>51</u> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Price, Dale) (Entered: 05/19/2016)
05/20/2016		TEXT–ONLY ORDER GRANTING <u>66</u> Ex Parte MOTION for Leave to File Excess Pages filed by R.G. & G.R. Harris Funeral Homes, Inc. Signed by District Judge Sean F. Cox. (JMCC) (Entered: 05/20/2016)
06/22/2016	<u>70</u>	MOTION for Leave to File <i>Surreply to Respond to New Arguments in Defendants Reply Brief</i> by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A, Plaintiffs SurReply In Opposition to Defendants Motion for Summary Judgment) (Price, Dale) (Entered: 06/22/2016)
07/06/2016	<u>71</u>	RESPONSE to <u>70</u> MOTION for Leave to File <i>Surreply to Respond to New Arguments in Defendants Reply Brief</i> filed by R.G. & G.R. Harris Funeral Homes, Inc.. (Campbell, James) (Entered: 07/06/2016)

07/27/2016	<u>72</u>	NOTICE of Appearance by Jonathan C. Dalton on behalf of R.G. & G.R. Harris Funeral Homes, Inc.. (Dalton, Jonathan) (Entered: 07/27/2016)
07/28/2016	<u>73</u>	ORDER Regarding Exhibit., (Response due by 8/2/2016.) Signed by District Judge Sean F. Cox. (TMcg) (Entered: 07/28/2016)
08/02/2016	<u>74</u>	EXHIBIT re <u>73</u> Order, Set Deadlines/Hearings by Equal Employment Opportunity Commission (Attachments: # <u>1</u> Exhibit AK, Proposed Conciliation Agreement) (Shultz, Miles)[SEALED EXHIBIT-SEE <u>75</u> FOR DETAILS] Modified on 8/2/2016 (TMcg). (Entered: 08/02/2016)
08/02/2016	<u>75</u>	ORDER Sealing <u>74</u> Exhibit. Signed by District Judge Sean F. Cox. (TMcg) (Entered: 08/02/2016)
08/10/2016		Reset Hearing (TIME CHANGE ONLY) as to <u>51</u> MOTION for Summary Judgment and <u>54</u> MOTION for Summary Judgment. Motion Hearing reset for 8/11/2016 at 10:30 AM before District Judge Sean F. Cox. (SBur) (Entered: 08/10/2016)
08/11/2016		Minute Entry for proceedings before District Judge Sean F. Cox: Motion Hearing held on 8/11/2016 re <u>51</u> MOTION for Summary Judgment and <u>54</u> MOTION for Summary Judgment. Disposition: Motions Taken Under Advisement. (Court Reporter: Marie Metcalf) (SBur) (Entered: 08/11/2016)
08/18/2016		TEXT-ONLY ORDER Granting <u>70</u> MOTION for Leave to File Surreply to Respond to New Arguments in Defendants Reply Brief filed by Equal Employment Opportunity Commission. Entered by District Judge Sean F. Cox. (JMcC) (Entered: 08/18/2016)
08/18/2016	<u>76</u>	OPINION and ORDER Granting in Part and Denying in Part <u>54</u> MOTION for Summary Judgment, and Denying <u>51</u> MOTION for Summary Judgment. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 08/18/2016)
08/18/2016	<u>77</u>	JUDGMENT. Signed by District Judge Sean F. Cox. (SBur) (Entered: 08/18/2016)
10/13/2016	<u>78</u>	NOTICE OF APPEAL by Equal Employment Opportunity Commission re <u>13</u> Memorandum Opinion & Order, <u>77</u> Judgment, <u>76</u> Memorandum Opinion & Order. Fee Status: No Fee Paid. (Price, Dale) (Entered: 10/13/2016)
10/13/2016	<u>79</u>	Certificate of Service re <u>78</u> Notice of Appeal. (LGra) (Entered: 10/13/2016)
11/02/2016	<u>80</u>	TRANSCRIPT of Motion to Dismiss held on 04/16/2015. (Court Reporter/Transcriber: Marie Metcalf) (Number of Pages: 20) (Appeal Purposes) 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 11/23/2016. Redacted Transcript Deadline set for 12/5/2016. Release of Transcript Restriction set for 1/31/2017. 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. (Metcalf, M) (Entered: 11/02/2016)
11/02/2016	<u>81</u>	TRANSCRIPT of Motion for Summary Judgment held on 08/11/2016. (Court Reporter/Transcriber: Marie Metcalf) (Number of Pages: 45) (Appeal Purposes) 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 11/23/2016. Redacted Transcript Deadline set for 12/5/2016. Release of Transcript Restriction set for 1/31/2017. 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. (Metcalf, M) (Entered: 11/02/2016)
03/27/2017	<u>82</u>	ORDER from U.S. Court of Appeals – Sixth Circuit re <u>78</u> Notice of Appeal filed by Equal Employment Opportunity Commission [Appeal Case Number 16–2424] (Ahmed, N) (Entered: 03/27/2017)
10/26/2017	<u>83</u>	STIPULATION AND ORDER for Leave to Depose a Witness Signed by District Judge Sean F. Cox. (JMcC) (Entered: 10/26/2017)

10/30/2017	<u>84</u>	NOTICE of Appearance by John A. Knight on behalf of Aimee Stephens. (Knight, John) (Entered: 10/30/2017)
01/25/2018	<u>85</u>	NOTICE of Change of Address/Contact Information by Douglas G. Wardlow on behalf of All Defendants. (Wardlow, Douglas) (Entered: 01/25/2018)
03/07/2018	<u>86</u>	OPINION from U.S. Court of Appeals – Sixth Circuit re <u>78</u> Notice of Appeal filed by Equal Employment Opportunity Commission [Appeal Case Number 16–2424] (SKra) (Entered: 03/07/2018)
05/08/2018	<u>87</u>	MANDATE from U.S. Court of Appeals – Sixth Circuit as to <u>78</u> Notice of Appeal filed by Equal Employment Opportunity Commission [Appeal Case Number 16–2424] (DWor) (Entered: 05/08/2018)
05/09/2018	<u>88</u>	NOTICE TO APPEAR: Status Conference set for 6/12/2018 at 03:30 PM before District Judge Sean F. Cox (JMcC) (Entered: 05/09/2018)
06/08/2018	<u>89</u>	NOTICE of Appearance by Jay Kaplan on behalf of Aimee Stephens. (Kaplan, Jay) (Entered: 06/08/2018)
06/08/2018	<u>90</u>	NOTICE by R.G. & G.R. Harris Funeral Homes, Inc. <i>Letter to the Court</i> (Campbell, James) (Entered: 06/08/2018)
06/12/2018		Minute Entry for proceedings before District Judge Sean F. Cox: Status Conference held on 6/12/2018 (JMcC) (Entered: 06/12/2018)
06/18/2018	<u>91</u>	SCHEDULING ORDER: Discovery due by 8/13/2018, Dispositive Motion Cut-off set for 9/28/2018, Final Pretrial Conference set for 2/12/2019 at 02:00 PM before District Judge Sean F. Cox Trailing Trial Docket set for March/April 2019 Signed by District Judge Sean F. Cox. (Refer to image for additional dates) (JMcC) (Entered: 06/18/2018)
07/26/2018	<u>92</u>	MOTION to Stay <i>Proceedings Pending Resolution of Defendant's Petition for a Writ of Certiorari</i> by R.G. & G.R. Harris Funeral Homes, Inc.. (Wardlow, Douglas) (Entered: 07/26/2018)
07/26/2018	<u>93</u>	LETTER from the US Supreme Court that a petition for writ of certiorari was filed on 6/24/2018. [Supreme Court Case Number: 18–107] [Court of Appeals Case Number: 16–2424] (SKra) (Entered: 07/27/2018)
08/15/2018	<u>94</u>	ORDER Granting <u>92</u> Motion to Stay. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 08/15/2018)
01/24/2020	<u>95</u>	NOTICE of Appearance by John J. Bursch on behalf of R.G. & G.R. Harris Funeral Homes, Inc.. (Bursch, John) (Entered: 01/24/2020)
01/24/2020	<u>96</u>	NOTICE of Withdrawal of Attorney James A. Campbell for on behalf of R.G. & G.R. Harris Funeral Homes, Inc.. (Campbell, James) (Entered: 01/24/2020)
02/11/2020	<u>97</u>	ORDER Granting Withdrawal of Attorney James A. Campbell. Signed by District Judge Sean F. Cox. (JMcC) (Entered: 02/11/2020)