

CLOSED

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:05-cv-01452-JA-KRS**

United States Equal Employment Opportunity Commission v.
FLTVT, LLC

Assigned to: Judge John Antoon II

Referred to: Magistrate Judge Karla R. Spaulding

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/29/2005

Date Terminated: 11/19/2007

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

**United States Equal Employment
Opportunity Commission**

represented by **Cheryl A. Cooper**

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V.

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V.

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doing business as
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formerly known as
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Date Filed	#	Docket Text
09/29/2005	<u>1</u>	COMPLAINT against FLTVT, LLC ; jury demand , filed by United States Equal Employment Opportunity Commission.(IGC) (Entered: 09/29/2005)
09/29/2005		Summons issued as to FLTVT, LLC. (IGC) (Entered: 09/29/2005)
10/21/2005	2	RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 - track 2. Notice of pendency of other actions due within 11 days from the date of this order.Signed by Judge John Antoon II on 10/21/2005. (DJD,) (Entered: 10/21/2005)
10/21/2005	<u>3</u>	INTERESTED PERSONS ORDER Certificate of interested persons and corporate disclosure statement due within 11 days from the date of this order.Signed by Judge John Antoon II on 10/21/2005. (DJD,) (Entered: 10/21/2005)
11/17/2005	<u>4</u>	NOTICE of pendency of other actions re 2 order of compliance to Local Rule by United States Equal Employment Opportunity Commission Related case(s): no (Dreilinger, Lauren) Modified on 11/18/2005 (IGC). (Entered: 11/17/2005)
11/17/2005	<u>5</u>	Certificate of Interested Persons & Corporate disclosure statement re <u>3</u> Interested Persons Order by United States Equal Employment Opportunity Commission (Dreilinger, Lauren) Modified on 11/18/2005 (IGC). (Entered: 11/17/2005)
12/13/2005	<u>6</u>	MOTION for extension of time to file answer or otherwise plead by FLTVT, LLC. (Burruezo, Carlos) (Entered: 12/13/2005)

12/16/2005	<u>7</u>	ORDER granting <u>6</u> Motion for extension of time to answer or respond. FLTVT, LLC answer due 1/3/2006 . Signed by Judge Karla R. Spaulding on 12/16/2005. (SJB,) (Entered: 12/16/2005)
12/19/2005	<u>8</u>	RETURN of service executed on 11/22/05 by United States Equal Employment Opportunity Commission as to FLTVT, LLC. (IGC) (Entered: 12/19/2005)
12/29/2005	<u>9</u>	MOTION to intervene by Sylvester A Cole, Jr., Frederick Rivers, Carlton C Small, Seymour S Small, Rickey Williams. (Attachments: # <u>1</u> Exhibit Verified Intervenor Complaint# <u>2</u> Exhibit Letters of Determination# <u>3</u> Exhibit Notice of Determination)(DeCiccio, Daniel) (Entered: 12/29/2005)
01/03/2006	<u>10</u>	ANSWER to complaint by FLTVT, LLC.(Murphy, James) (Entered: 01/03/2006)
01/03/2006	<u>11</u>	NOTICE of Appearance by James B. Murphy, Jr on behalf of FLTVT, LLC (Murphy, James) (Entered: 01/03/2006)
01/03/2006	<u>12</u>	NOTICE of pendency of other actions re order of compliance to Local Rule by FLTVT, LLC Related case(s): n (Murphy, James) (Entered: 01/03/2006)
01/03/2006	<u>13</u>	CERTIFICATE of interested persons and corporate disclosure statement by FLTVT, LLC. (Murphy, James) (Entered: 01/03/2006)
01/04/2006	<u>14</u>	ENDORSED ORDER granting <u>9</u> Motion to intervene. Plaintiffs/Intevenors must file their Complaint as a separate document. Signed by Judge John Antoon II on 1/4/2006. (EMW) (Entered: 01/04/2006)
01/04/2006	<u>15</u>	MOTION for William C. Martucci & Carrie McAtee to appear pro hac vice by James B. Murphy, Jr on behalf of FLTVT, LLC. (Murphy, James) Modified on 1/5/2006 (IGC). (Entered: 01/04/2006)
01/05/2006	<u>16</u>	ORDER granting <u>15</u> motion to appear pro hac vice . Signed by Judge Karla R. Spaulding on 1/5/2006. (SJB,) (Entered: 01/05/2006)
01/09/2006	<u>17</u>	Verified INTERVENOR'S COMPLAINT & Demand for Jury Trial, filed by all plaintiffs. (Attachments: # <u>1</u> Verification to Verified Intervenor's Complaint# <u>2</u> Exhibit Composite Exhibit A - Letters of Determination)(DeCiccio, Daniel) Modified on 1/10/2006 (IGC). (Entered: 01/09/2006)
01/24/2006	<u>18</u>	WAIVER OF SERVICE returned executed on 01/17/2006 by Frederick Rivers. Waiver of Service sent on 01/11/2006 as to FLTVT, LLC. (DeCiccio, Daniel) (Entered: 01/24/2006)
02/07/2006	<u>19</u>	INTERESTED PERSONS ORDER Certificate of interested persons and corporate disclosure statement due by intervenor plaintiffs within 11 days from the date of this order. Signed by Judge John Antoon II on 2/7/2006. (DJD,) (Entered: 02/07/2006)
02/09/2006	<u>20</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>19</u> Interested Persons Order by Frederick Rivers. (DeCiccio, Daniel) Modified on 2/10/2006 (IGC). (Entered: 02/09/2006)
03/01/2006	<u>21</u>	CASE MANAGEMENT REPORT. (Dreiling, Lauren) (Entered: 03/01/2006)
03/02/2006	<u>22</u>	CASE MANAGEMENT AND SCHEDULING ORDER. Signed by Judge John Antoon II on 3/2/2006. (EMW) (Entered: 03/02/2006)

03/13/2006	<u>23</u>	ANSWER to intervenor complaint by FLTVT, LLC.(Murphy, James) (Entered: 03/13/2006)
03/15/2006	<u>24</u>	AMENDED ANSWER to <u>17</u> Intervenor Complaint, by FLTVT, LLC. (Murphy, James) (Entered: 03/15/2006)
03/01/2007	<u>25</u>	Joint MOTION for Extension of Time to Complete Discovery <i>and Related Case Deadlines</i> by FLTVT, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(McAtee, Carrie) Motions referred to Magistrate Judge Karla R. Spaulding. (Entered: 03/01/2007)
03/05/2007	<u>26</u>	ORDER granting in part and denying in part <u>25</u> Motion for Extension of Time.Signed by Judge John Antoon II on 3/5/2007. (BRS) (Entered: 03/05/2007)
03/06/2007	<u>27</u>	NOTICE of Appearance by Ena T. Diaz on behalf of FLTVT, LLC (Diaz, Ena) (Entered: 03/06/2007)
03/23/2007	<u>28</u>	ORDER that the parties are directed to file their Notice of Mediation no later than March 28, 2007. Signed by Judge John Antoon II on 3/23/2007. (BRS) (Entered: 03/23/2007)
03/28/2007	<u>29</u>	JOINT NOTICE by United States Equal Employment Opportunity Commission <i>Notice of Mediation set for 5/15/07 at 10:30 a.m.</i> (Dreilinger, Lauren) Modified on 3/28/2007 (IGC). (Entered: 03/28/2007)
03/30/2007	<u>30</u>	Unopposed MOTION for Kevin M. Smith to appear pro hac vice by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit Written Designation)(Diaz, Ena) Motions referred to Magistrate Judge Karla R. Spaulding. (Entered: 03/30/2007)
03/30/2007	<u>31</u>	ORDER granting <u>30</u> motion to appear pro hac vice. Signed by Judge Karla R. Spaulding on 3/30/2007. (JML,) (Entered: 03/30/2007)
05/04/2007	<u>32</u>	MOTION to compel <i>Plaintiffs Fred Rivers and Seymour Small to Submit to a Psychological Evaluation Pursuant to Rule 35 and Memorandum of Law in Support Thereof</i> by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7)(Diaz, Ena) Motions referred to Magistrate Judge Karla R. Spaulding. (Entered: 05/04/2007)
05/14/2007	<u>33</u>	RESPONSE in opposition re <u>32</u> MOTION to compel <i>Plaintiffs Fred Rivers and Seymour Small to Submit to a Psychological Evaluation Pursuant to Rule 35 and Memorandum of Law in Support Thereof</i> filed by Frederick Rivers. (Attachments: # <u>1</u> Exhibit A through D)(DeCiccio, Daniel) (Entered: 05/14/2007)
05/16/2007	<u>34</u>	REPLY to <u>33</u> response to motion re <u>32</u> MOTION to compel <i>Plaintiffs Fred Rivers and Seymour Small to Submit to a Psychological Evaluation Pursuant to Rule 35 and Memorandum of Law in Support Thereof</i> filed by FLTVT, LLC. (McAtee, Carrie) Modified on 5/16/2007 (IGC). ***STRICKEN PER ORDER ENTERED ON 5/17/07 - DOCUMENT NO. 36*** (Entered: 05/16/2007)
05/16/2007	<u>35</u>	MEDIATION REPORT Hearing held on 5/15/2007 Hearing outcome: IMPASSE(Singletary, Cary) (Entered: 05/16/2007)
05/17/2007	<u>36</u>	ORDER to strike re: <u>34</u> Reply to response to motion, filed by FLTVT, LLC. This is an unauthorized reply memorandum that will not be considered by the Court. See Local Rule 3.01(c). Signed by Judge Karla R. Spaulding on 5/17/2007.

		(Spaulding, Karla) (Entered: 05/17/2007)
05/18/2007	<u>37</u>	ORDER denying <u>32</u> Motion to compel. Signed by Judge Karla R. Spaulding on 5/18/2007. (JML,) (Entered: 05/18/2007)
06/13/2007	<u>38</u>	MOTION to compel <i>Plaintiffs' Employment Records and Memorandum of Law in Support Thereof</i> by FLTVT, LLC. (Diaz, Ena) Motions referred to Magistrate Judge Karla R. Spaulding. (Entered: 06/13/2007)
06/25/2007	<u>39</u>	RESPONSE to motion re <u>38</u> MOTION to compel <i>Plaintiffs' Employment Records and Memorandum of Law in Support Thereof</i> filed by Frederick Rivers, SylvesterA. Cole, Jr., Carlton C. Small, Seymour S. Small, Ricky Williams & United States Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit)(DeCiccio, Daniel) Modified on 6/26/2007 (IGC). (Entered: 06/25/2007)
07/10/2007	<u>40</u>	ORDER denying <u>38</u> Motion to compel. Signed by Judge Karla R. Spaulding on 7/10/2007. (JML,) (Entered: 07/10/2007)
07/12/2007	<u>41</u>	<i>Daubert</i> MOTION regarding defendant's expert report by Frederick Rivers. (Attachments: # <u>1</u> Exhibit)(DeCiccio, Daniel) Modified on 7/13/2007 (MJT). (Entered: 07/12/2007)
07/13/2007	<u>42</u>	MOTION for summary judgment by FLTVT, LLC. (McAtee, Carrie) **STRICKEN PER ORDER ENTERED ON 7/17/07 - DOCUMENT NO. 45**(IGC). (Entered: 07/13/2007)
07/13/2007	<u>43</u>	MEMORANDUM in support re <u>42</u> Motion for summary judgment filed by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit Seymour Small Depo# <u>2</u> Exhibit Seymour Small Depo# <u>3</u> Exhibit 1-3 Seymour Small Depo# <u>4</u> Exhibit 1-4 Seymour Small Depo# <u>5</u> Exhibit 2-1 Carlton Small Depo# <u>6</u> Exhibit 2-2 Carlton Small Depo# <u>7</u> Exhibit 2-3 Carlton Small Depo# <u>8</u> Exhibit 3-1 Cole Depo# <u>9</u> Exhibit 3-2 Cole Depo# <u>10</u> Exhibit 3-3 Cole Depo# <u>11</u> Exhibit 3-4 Cole Depo# <u>12</u> Exhibit 3A Cole Interrogatory Answer# <u>13</u> Exhibit 4-1 Rivers Depo# <u>14</u> Exhibit 4-2 Rivers Depo# <u>15</u> Exhibit 4-3 Rivers Depo# <u>16</u> Exhibit 4-4 Rivers Depo# <u>17</u> Exhibit 5-1 Williams Depo# <u>18</u> Exhibit 5-2 Williams Depo# <u>19</u> Exhibit 5-3 Williams Depo# <u>20</u> Exhibit 6-1 Penniman Depo# <u>21</u> Exhibit 6-2 Penniman Depo# <u>22</u> Exhibit 6-3 Penniman Depo# <u>23</u> Exhibit 6-4 Penniman Depo# <u>24</u> Exhibit 6-5 Penniman Depo# <u>25</u> Exhibit 6-6 Penniman Depo# <u>26</u> Exhibit 7-1 6/8/07 McCumber Depo# <u>27</u> Exhibit 7-2 6/8/07 McCumber Depo# <u>28</u> Exhibit 8 Handbook Excerpts# <u>29</u> Exhibit 9-1 Barnes Depo# <u>30</u> Exhibit 9-2 Barnes Depo# <u>31</u> Exhibit 10-1 Lopez Depo# <u>32</u> Exhibit 10-2 Lopez Depo# <u>33</u> Exhibit 10-3 Lopez Depo# <u>34</u> Exhibit 10-4 Lopez# <u>35</u> Exhibit 10-5 Lopez Depo# <u>36</u> Exhibit 10-6 Lopez Depo# <u>37</u> Exhibit 11 3rd Quarter 2002 Poster# <u>38</u> Exhibit 12 4th Quarter 2002 Poster# <u>39</u> Exhibit 13 January 2004 Poster# <u>40</u> Exhibit 14-1 4/13/07 McCumber Depo# <u>41</u> Exhibit 14-2 4/13/07 McCumber Depo# <u>42</u> Exhibit 14-3 4/13/07 McCumber Depo.# <u>43</u> Exhibit 15-1 McRae Decl. and report# <u>44</u> Exhibit 15-2 McRae Decl. and report# <u>45</u> Exhibit 16 Cole Acknowledgement# <u>46</u> Exhibit 17-1 Harrison Depo# <u>47</u> Exhibit 17-2 Harrison Depo# <u>48</u> Exhibit 18-1 Eastridge Depo# <u>49</u> Exhibit 18-2 Eastridge Depo# <u>50</u> Exhibit 18-3 Eastridge Depo# <u>51</u> Exhibit 19 May 5, 2003 e-mail# <u>52</u> Exhibit 20-1 Van Tuyl Depo# <u>53</u> Exhibit 20-2 Van Tuyl Depo# <u>54</u> Exhibit 21-1 Maus Depo# <u>55</u> Exhibit 21-2 Maus Depo# <u>56</u> Exhibit 21-3 Maus Depo# <u>57</u> Exhibit 22-1 Taub Depo# <u>58</u> Exhibit 22-2

		Taub Depo# 59 Exhibit 22-3 Taub Depo# 60 Exhibit 23-1 Ruggeri Depo# 61 Exhibit 23-2 Ruggeri Depo)(McAtee, Carrie) **STRICKEN PER ORDER ENTERED ON 7/17/07 - DOCUMENT NO. 45** (IGC). (Entered: 07/13/2007)
07/13/2007	44	DAUBERT MOTION in limine regarding Plaintiffs' Offer of Testimony from Joyce Eastridge by FLTVT, LLC. (Attachments: # 1 Exhibit Plaintiffs' Expert Disclosure Document# 2 Exhibit Eastridge Expert Report on Financial Information# 3 Exhibit July 9 Letter to Plaintiffs' Counsel# 4 Exhibit July 11 Letter from Plaintiffs' Counsel# 5 Exhibit Argiz Report# 6 Exhibit Inouye Report (Part I)# 7 Exhibit Inouye Report (Part II)# 8 Exhibit Inouye Report (Part III)# 9 Exhibit Eastridge Letter# 10 Exhibit Eastridge Deposition Transcript Excerpts)(Smith, Kevin) Modified on 10/24/2007 (IGC). (Entered: 07/14/2007)
07/17/2007	45	ORDER striking 42 Motion for summary judgment and 43 Suggestions in Support of Defendant FLTVT, LLC's Motion for Summary Judgment. Defendant FLTVT, LLC shall have until July 19, 2007, to file its Motion for Summary Judgment and Memorandum in accordance with the requirements of Local Rule 3.01(a). Signed by Judge John Antoon II on 7/17/2007. (BRS) (Entered: 07/17/2007)
07/17/2007	46	MOTION to strike 43 Memorandum in support,,,,,, and Motion for Summary Judgment by all plaintiffs. (Attachments: # 1 Exhibit # 2 Exhibit)(Dreilinger, Lauren) (Entered: 07/17/2007)
07/18/2007	47	ENDORSED ORDER denying as moot 46 Motion to strike. Signed by Judge John Antoon II on 7/18/2007. (BRS) (Entered: 07/18/2007)
07/19/2007	48	MOTION for summary judgment and memorandum of law in support thereof (dispositive motion)) by FLTVT, LLC. (Attachments: # 1 Exhibit 1-1 (6-8-7 McCumber Deposition)# 2 Exhibit 1-2# 3 Exhibit 2 (Handbook Excerpts)# 4 Exhibit 3-1 (Lopez Deposition)# 5 Exhibit 3-2# 6 Exhibit 4-1 (4-13-07 McCumber Deposition)# 7 Exhibit 4-2# 8 Exhibit 4-3# 9 Exhibit 5-1 (Barnes Deposition)# 10 Exhibit 5-2# 11 Exhibit 6 (2002 and 2003 Materials)# 12 Exhibit 7-1 (McRae Affidavit and Expert Report)# 13 Exhibit 7-2# 14 Exhibit 8-1 (Williams Deposition)# 15 Exhibit 8-2# 16 Exhibit 8-3# 17 Exhibit 9-1 (Carlton Small Deposition)# 18 Exhibit 9-2# 19 Exhibit 9-3# 20 Exhibit 10-1 (Seymour Small Deposition)# 21 Exhibit 10-2# 22 Exhibit 10-3# 23 Exhibit 10-4# 24 Exhibit 11-1 (Rivers Deposition)# 25 Exhibit 11-2# 26 Exhibit 11-3# 27 Exhibit 11-4# 28 Exhibit 12-1 (Cole Deposition)# 29 Exhibit 12-2# 30 Exhibit 12-3# 31 Exhibit 12-4# 32 Exhibit 13 (Cole Acknowledgement)# 33 Exhibit 14-1 (Penniman Deposition)# 34 Exhibit 14-2# 35 Exhibit 14-3# 36 Exhibit 14-4# 37 Exhibit 14-5# 38 Exhibit 14-6# 39 Exhibit 15-1 (Harrison Deposition)# 40 Exhibit 15-2# 41 Exhibit 16-1 (Eastridge Deposition)# 42 Exhibit 16-2# 43 Exhibit 16-3# 44 Exhibit 17-1 (Van Tuyl Deposition)# 45 Exhibit 17-2# 46 Exhibit 18-1 (Maus Deposition)# 47 Exhibit 18-2# 48 Exhibit 18-3# 49 Exhibit 19-1 (Taub Deposition)# 50 Exhibit 19-2# 51 Exhibit 19-3)(McAtee, Carrie) (Entered: 07/19/2007)
07/23/2007	49	MEMORANDUM in opposition re 41 Motion for miscellaneous relief filed by FLTVT, LLC. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E)(McAtee, Carrie) (Entered: 07/23/2007)

07/27/2007	<u>50</u>	RESPONSE in opposition re <u>44</u> MOTION in limine regarding Plaintiffs' Offer of Testimony from Joyce Eastridge filed by United States Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit)(Dreilinger, Lauren) (Entered: 07/27/2007)
08/01/2007	<u>51</u>	UNOPPOSED MOTION to dismiss Defamation Claim by Sylvester A Cole, Jr. (Attachments: # <u>1</u> Exhibit)(DeCiccio, Daniel) Modified on 8/2/2007 (IGC). (Entered: 08/01/2007)
08/03/2007	<u>52</u>	RESPONSE in opposition to <i>Defendant's</i> <u>48</u> Motion for Summary Judgment filed by United States Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service# <u>2</u> Plaintiffs' Exhibit List# <u>3</u> Exhibit 1# <u>4</u> Exhibit 2# <u>5</u> Exhibit 3# <u>6</u> Exhibit 4# <u>7</u> Exhibit 5# <u>8</u> Exhibit 6# <u>9</u> Exhibit 7# <u>10</u> Exhibit 8# <u>11</u> Exhibit 9# <u>12</u> Exhibit 10(A)# <u>13</u> Exhibit 10(B)# <u>14</u> Exhibit 10(C)# <u>15</u> Exhibit 11# <u>16</u> Exhibit 12# <u>17</u> Exhibit 13# <u>18</u> Exhibit 14# <u>19</u> Exhibit 15# <u>20</u> Exhibit 16# <u>21</u> Exhibit 17# <u>22</u> Exhibit 18# <u>23</u> Exhibit 19# <u>24</u> Exhibit 20# <u>25</u> Exhibit 21# <u>26</u> Exhibit 22# <u>27</u> Exhibit 23# <u>28</u> Exhibit 24# <u>29</u> Exhibit 25# <u>30</u> Exhibit 26# <u>31</u> Exhibit 27# <u>32</u> Exhibit 28# <u>33</u> Exhibit 29# <u>34</u> Exhibit 30# <u>35</u> Exhibit 31# <u>36</u> Exhibit 32# <u>37</u> Exhibit 33# <u>38</u> Exhibit 34# <u>39</u> Exhibit 35(A)# <u>40</u> Exhibit 35(B)# <u>41</u> Exhibit 36# <u>42</u> Exhibit 37# <u>43</u> Exhibit 38# <u>44</u> Exhibit 39)(Dreilinger, Lauren) Modified on 8/6/2007 (IGC). (Entered: 08/03/2007)
08/09/2007	<u>53</u>	ORDER granting <u>51</u> Motion to dismiss defamation claim. Signed by Judge John Antoon II on 8/9/2007. (BRS) (Entered: 08/09/2007)
08/10/2007	<u>54</u>	MOTION for leave to file Reply to <u>52</u> Response in Opposition to Defendants <u>48</u> Motion for Summary Judgment by FLTVT, LLC. (McAtee, Carrie) Modified on 8/10/2007 (IGC). (Entered: 08/10/2007)
09/03/2007	<u>55</u>	ORDER granting <u>54</u> Motion for leave to file Reply. Signed by Judge John Antoon II on 9/2/2007. (BRS) (Entered: 09/03/2007)
09/12/2007	<u>56</u>	REPLY to <u>52</u> response to motion <i>in support of its</i> <u>48</u> motion for summary judgment filed by FLTVT, LLC. (McAtee, Carrie) Modified on 9/13/2007 (IGC). (Entered: 09/12/2007)
09/13/2007	<u>57</u>	PRETRIAL STATEMENT by Frederick Rivers. (DeCiccio, Daniel) **Called attorney on 9/14/07 to refile pleading - improper format** (Entered: 09/13/2007)
09/13/2007	<u>58</u>	PROPOSED voir dire questions by Frederick Rivers. (DeCiccio, Daniel) (Entered: 09/13/2007)
09/13/2007	<u>59</u>	PROPOSED jury instructions by United States Equal Employment Opportunity Commission. (Curtin, Nora) (Entered: 09/13/2007)
09/17/2007	<u>60</u>	JOINT PRETRIAL STATEMENT by Frederick Rivers. (DeCiccio, Daniel) Modified on 9/17/2007 (IGC). (Entered: 09/17/2007)
09/20/2007	<u>61</u>	MOTION in limine by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6)(Dreilinger, Lauren) (Entered: 09/20/2007)
09/20/2007	<u>62</u>	TRIAL BRIEF <i>Plaintiffs'</i> by United States Equal Employment Opportunity Commission. (Attachments: # <u>1</u>)(Dreilinger, Lauren) (Entered: 09/20/2007)

09/20/2007	<u>63</u>	STIPULATION (<i>JOINT</i>) by FLTVT, LLC. (McAtee, Carrie) **Pleading not signed - refiled at document no. 64** (Entered: 09/20/2007)
09/20/2007	<u>64</u>	STIPULATION (<i>JOINT</i>) (<i>with signatures</i>) by FLTVT, LLC. (McAtee, Carrie) (Entered: 09/20/2007)
09/20/2007	<u>65</u>	MOTION in limine (<i>and Incorporated Memorandum of Law in Support Thereof</i>) by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7)(McAtee, Carrie) (Entered: 09/20/2007)
10/01/2007	<u>66</u>	RESPONSE in opposition re <u>65</u> MOTION in limine (<i>and Incorporated Memorandum of Law in Support Thereof</i>) Plaintiffs' filed by United States Equal Employment Opportunity Commission. (Attachments: # <u>1</u> # <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10# <u>11</u> Exhibit 11)(Dreilinger, Lauren) (Entered: 10/01/2007)
10/02/2007	<u>67</u>	MEMORANDUM in opposition re <u>61</u> Motion in limine filed by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit Intervenor Rivers' Response to Request for Production No. 22# <u>2</u> Exhibit Intervenor Williams' Deposition Excerpts# <u>3</u> Exhibit Maxwell v. Health Center of Lake City# <u>4</u> Exhibit Intervenor Rivers Depo Excerpts# <u>5</u> Exhibit Smalley Statement# <u>6</u> Exhibit Smalley Depo Excerpts# <u>7</u> Exhibit Hill Statement)(McAtee, Carrie) (Entered: 10/02/2007)
10/02/2007	<u>68</u>	MOTION for leave to file <i>amended exhibit list</i> by Frederick Rivers. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(DeCiccio, Daniel) Modified on 10/3/2007 (IGC). Modified on 10/17/2007 (LAK). (Entered: 10/02/2007)
10/16/2007	<u>69</u>	MEMORANDUM in opposition re <u>68</u> Motion for leave to file amended exhibit list filed by FLTVT, LLC. (McAtee, Carrie) Modified on 10/17/2007 (LAK). (Entered: 10/16/2007)
10/18/2007	<u>70</u>	ORDER granting in part and denying in part <u>48</u> Motion for Summary Judgment. The motion is granted as to Plaintiffs' hostile work environment claims and is denied as to Plaintiffs' claims of discriminatory termination and demotion. Signed by Judge John Antoon II on 10/18/2007. (ek) (Entered: 10/18/2007)
10/19/2007	<u>71</u>	NOTICE of Hearing: Final Pretrial Conference set for 10/30/2007 at 09:30 AM in Courtroom 6 B before Judge John Antoon II. Trial counsel must appear in person at the Final Pretrial Conference. Counsel should be prepared to discuss pending motions in limine and any objections to exhibits and witnesses.(DJD,) (Entered: 10/19/2007)
10/25/2007	<u>72</u>	TRIAL CALENDAR for trial term November 2007 (DJD,) Additional attachment(s) added on 10/26/2007 (DJD,). (Entered: 10/25/2007)
10/29/2007	<u>73</u>	MOTION Excuse Appearance of Local Counsel <i>And Incorporated Memorandum of Law in Support Thereof</i> by FLTVT, LLC. (McAtee, Carrie) (Entered: 10/29/2007)
10/29/2007	<u>74</u>	MOTION to allow electronic equipment, specifically cell phone, laptop computer and portable printer by Frederick Rivers. (DeCiccio, Daniel) (Entered: 10/29/2007)

10/29/2007	75	NOTICE of Appearance by Maria Kate Boehringer on behalf of United States Equal Employment Opportunity Commission (Boehringer, Maria) (Entered: 10/29/2007)
10/30/2007	76	ENDORSED ORDER granting 73 Motion to excuse appearance of local counsel. Signed by Judge John Antoon II on 10/30/2007. (BRS) (Entered: 10/30/2007)
10/30/2007	77	MOTION to allow electronic equipment, specifically Cellular Telephones, Laptop Computers, BlackBerry Devices, Projector, and Accessory Equipment (<i>Into Courthouse For Trial</i>) by FLTVT, LLC. (McAtee, Carrie) (Entered: 10/30/2007)
10/30/2007	81	MINUTE ENTRY for proceedings held before Judge John Antoon II : FINAL PRETRIAL CONFERENCE held on 10/30/2007. Parties estimate 10 days for trial. Court to commence with Jury Selection on Monday, November 5, 2007. Court Reporter: Tony Rolland (DJD,) (Entered: 11/02/2007)
10/30/2007	82	ORAL ORDER granting in part and denying in part 44 Motion in limine; Granting in part and reserving ruling in part 61 Motion in limine; Taking under advisement 65 Motion in limine; Granting 68 Motion for leave to file amended exhibit list; Granting 74 Motion to allow electronic equipment; Granting 77 Motion to allow electronic equipment. Entered by Judge John Antoon II on 10/30/2007. (DJD,) (Entered: 11/02/2007)
10/30/2007	83	ORE TENUS MOTION in limine to exclude the testimony of Jerry McDaniel and regarding Mr. Ornstein by United States Equal Employment Opportunity Commission. (DJD,) (Entered: 11/02/2007)
10/30/2007	84	ORAL ORDER granting in part and denying in part 83 Motion in limine. Entered by Judge John Antoon II on 10/30/2007. (DJD,) (Entered: 11/02/2007)
10/31/2007	78	NOTICE of Filing Additional Authority in Opposition to Defendant's 65 Motion in Limine and in support of 66 Response in opposition to motion, by United States Equal Employment Opportunity Commission (Attachments: # 1 Exhibit: Bass v. Board of County Commissioners; # 2 Exhibit: Bernstein v. Sephora; # 3 Exhibit: Ryder v. Westinghouse Electric Corp.; (4) Exhibit: Damon v. Fleming Supermarkets of Florida, Inc.; # 5 Exhibit: Ostrowski v. Atlantic Mutual Insurance Co.; # 6 Exhibit: Stubblefield v. Trinity Industries, Inc.)(Boehringer, Maria) Modified on 11/1/2007 (JET). (Entered: 10/31/2007)
11/01/2007	79	NOTICE of supplemental authority re 65 MOTION in limine (<i>and Incorporated Memorandum of Law in Support Thereof</i>) by FLTVT, LLC (McAtee, Carrie) (Entered: 11/01/2007)
11/01/2007	80	MOTION to strike 79 Notice of supplemental authority, or in the alternative, MOTION for permission to file reply by United States Equal Employment Opportunity Commission. (Boehringer, Maria) Modified on 11/2/2007 (JET). (Entered: 11/01/2007)
11/02/2007	85	NOTICE of Appearance by Maria Kate Boehringer on behalf of United States Equal Employment Opportunity Commission (Boehringer, Maria) (Entered: 11/02/2007)
11/02/2007	86	ORDER granting Daniel DeCiccio permission to use Laptop Computer and Cellular telephone in Courtroom No. 3A for trial commencing November 5, 2007.

		Signed by Judge John Antoon II on 11/2/2007. (DJD,) (Entered: 11/02/2007)
11/02/2007	<u>87</u>	ORDER allowing Carrie McAtee and William Martucci to bring in a laptop computer and cellular telephone into Courtroom No. 3A for use at trial commencing Monday, November 5, 2007. Signed by Judge John Antoon II on 11/2/2007. (DJD,) (Entered: 11/02/2007)
11/02/2007	<u>88</u>	MOTION to allow electronic equipment, specifically Laptop Computer and Cellular Telephones by United States Equal Employment Opportunity Commission. (Boehringer, Maria) (Entered: 11/02/2007)
11/05/2007	<u>89</u>	MINUTE ENTRY for proceedings held before Judge John Antoon II : Voir Dire held on 11/5/2007. Jury selected and sworn. Plaintiffs witness: William Smalley. Court to reconvene at 9:00 a.m. on Tuesday, November 6, 2007. Court Reporter: Tony Rolland (DJD,) (Entered: 11/06/2007)
11/06/2007	<u>90</u>	MINUTE ENTRY for proceedings held before Judge John Antoon II : JURY TRIAL (DAY TWO) held on 11/6/2007. Continued testimony of plaintiffs witness: William Smalley; Plaintiffs witness: Frederick Rivers. Court to reconvene at 9:00 a.m. on Wednesday, November 7, 2007 Court Reporter: Tony Rolland (DJD,) (Entered: 11/07/2007)
11/07/2007	<u>91</u>	MINUTE ENTRY for proceedings held before Judge John Antoon II : JURY TRIAL (DAY THREE) held on 11/7/2007. Continued testimony of Frederick Rivers; Plaintiffs witness: Seymour Small; Court to reconvene at 9:00 a.m. on Thursday, November 8, 2007. Court Reporter: Tony Rolland (DJD,) (Entered: 11/08/2007)
11/08/2007	<u>92</u>	MINUTE ENTRY for proceedings held before Judge John Antoon II : JURY TRIAL (DAY FOUR) held on 11/8/2007. Juror requested to be excused for remainder of trial; Court grants jurors request. Continued testimony of Seymour Small; Plaintiffs witnesses: Carlton Small, and Rickey Williams. Court GRANTS EEOC's Motion to allow laptop and cellular telephones into the courtroom for trial (Doc. No. 88). Separate order to be entered. Court to reconvene at 8:30 a.m. on Tuesday, November 13, 2007. Court Reporter: Tony Rolland (DJD,) (Entered: 11/09/2007)
11/09/2007	<u>93</u>	ORDER granting EEOC's <u>88</u> Motion to allow electronic equipment including laptop computer and cellular telephone into Courtroom No. 3A for use at trial. Signed by Judge John Antoon II on 11/9/2007. (DJD,) (Entered: 11/09/2007)
11/09/2007	<u>94</u>	MOTION to strike <i>Mark Ornstein</i> by Frederick Rivers. (DeCiccio, Daniel) (Entered: 11/09/2007)
11/12/2007	<u>95</u>	RESPONSE in opposition re <u>94</u> MOTION to strike <i>Mark Ornstein</i> filed by FLTVT, LLC. (McAtee, Carrie) (Entered: 11/12/2007)
11/13/2007	<u>96</u>	Minute Entry. Proceedings held before Judge John Antoon II: Granting in part and denying in part <u>65</u> Motion in limine; denying <u>94</u> Motion to strike Mark Ornstein; JURY TRIAL (DAY FIVE) held on 11/13/2007. Plaintiffs witnesses: Laura Jean Ruggeri, Sylvester A. Cole, Jr. Plaintiff rests. Defendant's witness: Bryan E. Penniman. Court to reconvene at 9:00 a.m. on Wednesday, November 14, 2007. Court Reporter: Tony Rolland (DJD) (Entered: 11/15/2007)

11/13/2007	<u>98</u>	MOTION for Judgment as a Matter of Law at the end of Plaintiff's Case-In-Chief by FLTVT, LLC. filed in open court. (DJD) (Entered: 11/15/2007)
11/14/2007	<u>97</u>	Minute Entry. Proceedings held before Judge John Antoon II: JURY TRIAL (DAY SIX) held on 11/14/2007. Continued testimony of Bryan Penniman; Defendant's witnesses: Jose Danny Taub, Larry Barnes, Tamara Hill and deposition testimony of Mark Petri. Court to reconvene at 9:00 a.m. on Thursday, November 15, 2007. Court Reporter: Tony Rolland (DJD) (Entered: 11/15/2007)
11/15/2007	<u>99</u>	Minute Entry. Proceedings held before Judge John Antoon II: JURY TRIAL (DAY SEVEN) held on 11/15/2007. Defendant's witnesses: Tony Argiz, John J. Walsh, III and Julie Ann McCumber; Deposition testimony of Scott Harrison in Plaintiff's Case-in-chief read in open court. Court to reconvene at 9:45 a.m. on Friday, November 16, 2007. Court Reporter: Tony Rolland (DJD) (Entered: 11/15/2007)
11/16/2007	<u>100</u>	Minute Entry. Proceedings held before Judge John Antoon II: JURY TRIAL (DAY EIGHT) held on 11/16/2007. Defendant's witnesses: Hugh Palmer, Ricardo Santana Ortiz, Damin Ferguson, Derek Alphonso, David Maus, Deposition testimony of Larry Van Tuyl, Video testimony of Kathryn Lopez, Mary Ann Peel. Defendant rests; RENEWED ORE TENUS MOTION by defendant for Judgment as a Matter of Law - Court takes Motion under advisement. Court to reconvene at 8:30 a.m. on Monday, November 19, 2007 for charge conference. Court Reporter: Tony Rolland (DJD) (Entered: 11/19/2007)
11/19/2007	<u>101</u>	Minute Entry. Proceedings held before Judge John Antoon II: JURY TRIAL (DAY NINE) completed on 11/19/2007. Jury reaches verdict in favor of defendant. Court Reporter: Tony Rolland (DJD) (Entered: 11/19/2007)
11/19/2007	<u>102</u>	COURT'S JURY INSTRUCTIONS. (DJD) (Entered: 11/19/2007)
11/19/2007	<u>103</u>	JURY VERDICT in favor of defendant. (DJD) (Entered: 11/19/2007)
11/19/2007	<u>104</u>	EXHIBIT LIST by United States Equal Employment Opportunity Commission, Sylvester A Cole, Jr., Frederick Rivers, Carlton C Small, Seymour S Small, Rickey Williams. (DJD) (Entered: 11/19/2007)
11/19/2007	<u>105</u>	EXHIBIT LIST by FLTVT, LLC.(DJD) (Entered: 11/19/2007)
11/19/2007	<u>106</u>	COURT'S EXHIBIT LIST. (DJD) (Entered: 11/19/2007)
11/19/2007	<u>107</u>	JUDGMENT in favor of FLTVT, LLC against United States Equal Employment Opportunity Commission, Carlton C Small, Frederick Rivers, Rickey Williams, Seymour S Small, Sylvester A Cole, Jr. (DJD) (Entered: 11/19/2007)
11/30/2007	<u>108</u>	PROPOSED BILL OF COSTS by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Tab A, # <u>3</u> Tab B, # <u>4</u> Tab C, # <u>5</u> Tab D)(McAtee, Carrie) **Called attorney on 12/3/07 to refile amended proposed bill of costs - total amount on this pleading is incorrect** (IGC). (Entered: 11/30/2007)
12/03/2007	<u>109</u>	AMENDED PROPOSED BILL OF COSTS (AMENDED) by FLTVT, LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Tab A, # <u>3</u> Tab B, # <u>4</u> Tab D, # <u>5</u> Tab D)(McAtee, Carrie) Modified on 12/4/2007 (IGC). (Entered: 12/03/2007)

12/04/2007	110	BILL OF COSTS taxed against United States Equal Employment Opportunity Commission, Sylvester Cole, Frederick Rivers, Carlton Small, Seymour Small & Rickey Williams Signed by Deputy Clerk. (IGC) (Entered: 12/04/2007)
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