

**U.S. District Court
Northern District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:02-cv-01225-JG**

Luke et al v. City of Cleveland et al
Assigned to: Judge James S. Gwin
Cause: 42:1981 Civil Rights

Date Filed: 06/26/2002
Date Terminated: 03/14/2006
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Anthony Luke

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Plaintiff

Keith Acey

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Plaintiff

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Plaintiff

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Plaintiff

Bashir Rahman
TERMINATED: 05/02/2005

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Dennis R. Thompson
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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V.

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Defendant

Kevin Gerrity
Chief of Fire Division, City of Cleveland
in his official capacity
now known as
Paul Stubbs

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Defendant

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Defendant

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Defendant/Intervenor

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V.

Movant

Brian Luther

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3rd Pty Defendant

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Local 93 of the Internation Association
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3rd Pty Defendant

Sean DeCrane

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Date Filed	#	Docket Text
06/26/2002	<u>1</u>	Complaint <i>with jury demand</i> (2 summons and Magistrate Consent Forms issued) against City of Cleveland, Kevin Gerity. Filed by Keith Acey, Rudolph

		Buffington, Kevin Echols, Kenneth Guyton, Anthony Luke, Daryl McGinnis, Michael Odum, Bashir Rahman, Granville White, Bruce Williams. Filing fee paid; receipt number 512560. (Attachments: # <u>1</u> Civil Cover Sheet)(P, G) (Entered: 06/26/2002)
06/26/2002	<u>2</u>	Random Assignment of Magistrate Judge Patricia A. Hemann. (P, G) (Entered: 06/26/2002)
06/26/2002	<u>3</u>	Notice of Placement of case in the CM/ECF Docketing System. (P, G) (Entered: 06/26/2002)
06/26/2002	<u>4</u>	Motion for temporary restraining order <i>with memorandum</i> , filed by Keith Acey, Rudolph Buffington, Kevin Echols, Kenneth Guyton, Anthony Luke, Daryl McGinnis, Michael Odum, Bashir Rahman, Granville White, Bruce Williams. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B-Keyed Copy of Examination# <u>3</u> Exhibit C-Affidavit# <u>4</u> Exhibit D-Barrett & Associates Biographical Information Sheet# <u>5</u> Exhibit E-Barrett and Associates# <u>6</u> Exhibit F-Exam# <u>7</u> Exhibit G# <u>8</u> Exhibit H-Determination)(Related document(s) <u>1</u>) (P, G) (Entered: 06/26/2002)
06/27/2002	<u>5</u>	Minutes of proceedings before Judge Matia on Motion for Temporary Restraining Order. Hearing held and argument heard. Order to follow. (Related Doc <u>4</u>) (Ralph Hink, Law Clerk) (K, V) Modified text on 6/28/2002 (M, J A). (Entered: 06/27/2002)
06/27/2002	<u>6</u>	Order Denying Plaintiffs' Motion for Temporary Restraining Order; The parties are given leave of Court to conduct formal discovery; Status Conference set for 8/27/2002 at 1:30 p.m.(Related Doc. <u>4</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 06/27/2002)
07/11/2002	<u>7</u>	Case Management Conference Scheduling Order with case management conference to be held on 8/22/2002 at 11:30 AM (check with court for location) Chief Judge Paul R. Matia.(I, B)(All COUNSEL AND PARTIES ARE INSTRUCTED TO DISREGARD THIS ENTRY AS FILED IN ERROR. CASE MANAGEMENT CONFERENCE WILL NOT BE HELD THIS DATE. STATUS CONFERENCE REMAINS SET FOR 1:30 P.M. ON 8/27/02). Modified text 7/11/2002 (C, K A). (Entered: 07/11/2002)
07/17/2002	<u>8</u>	Third Party Motion to intervene as a party <i>defendant</i> filed by Association of Cleveland Fire Fighters, Local 93 of the Internation Association of Fire Fighters. (Diemert, Jr., Joseph) (Entered: 07/17/2002)
07/22/2002	<u>9</u>	Answer to Complaint <i>with Jury Demand and Brief in Opposition to Plaintiffs' Request for Injunctive Relief</i> (Related Doc # <u>1</u>) filed by all defendants. (Monegan, Theodora) (Entered: 07/22/2002)
07/23/2002	<u>10</u>	Notice of Service of <i>Discovery upon Defendant City of Cleveland</i> filed by Anthony Luke. (Thompson, Dennis) (Entered: 07/23/2002)
07/24/2002	<u>11</u>	Motion for leave to <i>file first amended complaint</i> filed by all plaintiffs. (Attachments: # <u>1</u> Proposed First Amended Complaint)(Related document(s) <u>1</u>) (Thompson, Dennis) (Entered: 07/24/2002)
07/29/2002	<u>12</u>	Order rescheduling status conference from 8/27/02 at 1:30 p.m. to 8/28/02 at 1:30 p.m. Chief Judge Paul R. Matia. (I, B) (Entered: 07/29/2002)
07/29/2002	<u>13</u>	Subpoena Returned; served upon <i>Barrett & Associates, Inc.</i> by <i>Joseph Loew</i> on <i>July 26, 2002</i> filed by Anthony Luke. (Thompson, Dennis) (Entered: 07/29/2002)
08/05/2002	<u>14</u>	Opposition to Association of Fire Fighters Local 93's motion to intervene (Related Motion(s) <u>8</u>) filed by Anthony Luke. (Thompson, Dennis) Modified on 8/6/2002 (S, R). (Entered: 08/05/2002)
08/12/2002	<u>15</u>	Response (Related Motion(s) <u>8</u>) to <i>Plaintiffs' Opposition of Motion to Intervene</i> filed by Association of Cleveland Fire Fighters, Local 93 of the Internation Association of Fire Fighters. (Diemert, Jr., Joseph) (Entered: 08/12/2002)

08/12/2002	<u>16</u>	Supplement to <i>Response to Plaintiffs' Opposition to Motion to Intervene, Amended Certificate of Service</i> filed by Association of Cleveland Fire Fighters, Local 93 of the International Association of Fire Fighters. (Related document(s) <u>15</u>) (Diemert, Jr., Joseph) (Entered: 08/12/2002)
08/12/2002	<u>17</u>	Order signed on 8/12/2002 Denying The Association of Cleveland Fire Fighters, Local 93's Motion to intervene as a party. (Related Doc # <u>8</u>) Chief Judge Paul R. Matia. (I, B) (Entered: 08/12/2002)
08/21/2002	<u>18</u>	Motion to show cause <i>for failure to respond to subpoena</i> filed by Anthony Luke. (Attachments: # <u>1</u> Subpoena to Barrett % Associates, Inc.)(Thompson, Dennis) (Entered: 08/21/2002)
08/21/2002	<u>19</u>	Supplemental Motion for leave <i>to file First Amended Complaint</i> filed by Anthony Luke. (Attachments: # <u>1</u> Revised First Amended Complaint)(Thompson, Dennis) (Entered: 08/21/2002)
08/23/2002	<u>20</u>	Order signed on 8/23/2002 Denying as moot Motion for leave (Related Doc # <u>11</u>) This motion was superseded by motion Doc. 19. Chief Judge Paul R. Matia. (I, B) (Entered: 08/23/2002)
08/30/2002	<u>21</u>	Nuc Pro Tunc (as of 8/26/02) Order canceling Status Conference set 8/28/02 and rescheduling it for 10/2/02 at 1:30 p.m. Chief Judge Paul R. Matia. (I, B) (Entered: 08/30/2002)
09/05/2002	<u>22</u>	Third Party Motion to intervene as a party <i>defendant</i> filed by Sean DeCrane. (Diemert, Jr., Joseph) Modified on 9/6/2002 (S, R). (Entered: 09/05/2002)
09/10/2002	<u>23</u>	Third Party Motion for relief <i>from order</i> filed by Association of Cleveland Fire Fighters, Local 93 of the International Association of Fire Fighters. (Diemert, Jr., Joseph) (Entered: 09/10/2002)
09/11/2002	<u>24</u>	Order Granting Plaintiffs' unopposed First Revised Motion for leave to file amended complaint; Plaintiffs to serve and file the revised first amended complaint by 9/25/2002. (Related Doc. <u>19</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 09/11/2002)
09/21/2002	<u>25</u>	Motion to strike <i>Local 93 motion for relief from judgment</i> filed by all plaintiffs. (Related document(s) <u>23</u>) (Thompson, Dennis) (Entered: 09/21/2002)
09/21/2002	<u>26</u>	Opposition (Related Motion(s) <u>22</u>) <i>ro motion to intervene by Sean DeCrane</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 09/21/2002)
09/25/2002	<u>27</u>	First Amended complaint against all defendants. Filed by Anthony Luke. (Thompson, Dennis) (Entered: 09/25/2002)
09/25/2002	<u>28</u>	Notice of filing <i>corrected first amended complaint</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 09/25/2002)
09/25/2002	<u>29</u>	First Amended complaint – <i>corrected</i> against all defendants. Filed by Anthony Luke. (Thompson, Dennis) (Entered: 09/25/2002)
09/27/2002	<u>30</u>	Response (Related Motion(s) <u>22</u>) <i>to Plaintiffs' Opposition to Motion to Intervene</i> filed by Sean DeCrane. (Diemert, Jr., Joseph) (Entered: 09/27/2002)
09/27/2002	<u>31</u>	Brief in Opposition (Related Motion(s) <u>25</u>) <i>to Plaintiffs' Motion to Strike Local 93's Motion for Relief from Judgment</i> filed by Association of Cleveland Fire Fighters, Local 93 of the International Association of Fire Fighters. (Diemert, Jr., Joseph) Modified on 9/30/2002 (S, R). (Entered: 09/27/2002)
09/30/2002	<u>32</u>	Motion to dismiss <i>Plaintiffs' Corrected First Amended Complaint</i> filed by all defendants. (Monegan, Theodora) (Entered: 09/30/2002)
10/01/2002	<u>33</u>	Motion to quash <i>Subpoena or, in the Alternative, for a Protective Order</i> filed by Barrett & Associates, Inc.. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Proposed Order # <u>3</u> Exhibit A – Declaration of Gerald Barrett # <u>4</u> Exhibit B – Subpoena # <u>5</u> Exhibit C – Letter # <u>6</u> Exhibit D – Letter)(Rossiter, Britt) (Entered: 10/01/2002)
10/01/2002	<u>34</u>	Address Change Notice of <i>Plaintiffs' counsel</i> by Dennis R. Thompson filed by on behalf of Keith Acey. (Thompson, Dennis) (Entered: 10/01/2002)

10/02/2002	<u>35</u>	Reply (Related Motion(s) <u>25</u>) <i>in support of motion to strike Union's Rule 60(b) motion</i> filed by Keith Acey. (Thompson, Dennis) Modified on 10/3/2002 (S, R). (Entered: 10/02/2002)
10/02/2002	<u>36</u>	Affidavit/Declaration (<i>Corrected</i>) of Gerald V. Barrett filed by Barrett & Associates, Inc.. (Related document(s) <u>33</u>) (Rossiter, Britt) (Entered: 10/02/2002)
10/02/2002	<u>37</u>	Affidavit/Declaration (<i>Corrected</i>) of Gerald V. Barrett (<i>refiling of #36, document would not open</i>) filed by Barrett & Associates, Inc.. (Related document(s) <u>33</u> & <u>36</u>) (C, B) Modified text on 10/3/2002 (C, B). (Entered: 10/03/2002)
10/09/2002	<u>38</u>	Protective Order re: confidential information (Related Doc. <u>33</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 10/09/2002)
10/09/2002	<u>39</u>	Marginal Order Denying as Moot Plaintiffs' Motion for show cause order (Related Doc. <u>18</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 10/09/2002)
10/09/2002	<u>40</u>	Case Management Plan. This case is assigned to the Complex case management track; Discovery due by 4/21/2003; Parties to be Joined and Pleading Amendments due by 1/10/2003; Dispositive Motions due by 5/21/2003, with status hearing to be held on 12/5/2002 at 1:30 PM at Chambers 19A, Chief Judge Paul R. Matia. (B, D) (Entered: 10/09/2002)
10/09/2002	<u>41</u>	Order entering action into Electronic Filing System, Chief Judge Paul R. Matia. (B, D) (Entered: 10/09/2002)
10/09/2002	<u>42</u>	Memorandum of Opinion and Order Denying Local 93's Motion for relief from order pursuant to Rule 60(b) (Related Docs. <u>23</u> , <u>25</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 10/09/2002)
10/21/2002	<u>43</u>	Answer to <i>Corrected First Amended Complaint with Jury Demand</i> filed by Gerald Barrett, Barrett & Associates, Inc. (Related document(s) <u>29</u>) (Rossiter, Britt) Modified text on 10/22/2002 (M, J A). (Entered: 10/21/2002)
10/21/2002	<u>44</u>	Order directing defendant Barrett & Associates, Inc. to produce all documents responsive to the subpoena issued by the plaintiffs no later than 10/31/02; defendant City of Cleveland is to respond to all written discovery propounded to it by 10/23/02. Chief Judge Paul R. Matia. (I, B) Modified text on 10/22/2002 (M, J A). (Entered: 10/21/2002)
11/13/2002	<u>45</u>	Motion for judgment on the pleadings filed by Gerald Barrett, Barrett & Associates, Inc.. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Unreported case (Barnes) # <u>3</u> Unreported Case (Alexander) # <u>4</u> Unreported Case (Moss) # <u>5</u> Unreported Case (Walker) # <u>6</u> Unreported Case (Underfer) # <u>7</u> Unreported Case (Brown)) (Rossiter, Britt) (Entered: 11/13/2002)
11/27/2002	<u>46</u>	Notice of Service of <i>Motion for Sanctions and Memorandum of Law in Support Thererof</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Rossiter, Britt) (Entered: 11/27/2002)
12/04/2002	<u>47</u>	Attorney Appearance by Leslye M. Huff filed by on behalf of City of Cleveland, Kevin Gerity. (Huff, Leslye) Modified on 12/5/2002 (S, R). (Entered: 12/04/2002)
12/04/2002	<u>48</u>	Attorney Appearance by Kevin J. Gibbons filed by on behalf of City of Cleveland, Kevin Gerity. (Gibbons, Kevin) Modified on 12/5/2002 (S, R). (Entered: 12/04/2002)
12/04/2002	<u>49</u>	Second Motion to amend complaint filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Complaint Exhibit 1 # <u>3</u> Complaint Exhibit 2 # <u>4</u> Complaint Exhibit 3) (Thompson, Dennis) (Entered: 12/04/2002)
12/06/2002	<u>50</u>	Marginal Order signed on 12/6/2002 Granting Without Opposition Plaintiffs' Motion for leave to file Second Amended Complaint instanter (Related Doc. <u>49</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 12/06/2002)

12/06/2002	<u>51</u>	Second Amended complaint <i>With Jury Demand</i> against all defendants. Filed by Lawrence Moore, Asa Newsome, Keith Acey, Rudolph Buffington, Kevin Echols, Kenneth Guyton, Anthony Luke, Daryl McGinnis, Michael Odum, Bashir Rahman, Granville White, Bruce Williams. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(B, D) (Entered: 12/06/2002)
12/06/2002	<u>52</u>	Marginal Order signed on 12/6/2002 Denying as moot Defendants City of Cleveland and Chief Kevin Gerrity's Motion to Dismiss Plaintiffs' Corrected First Amended Complaint (Related Doc. <u>32</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 12/06/2002)
12/06/2002	<u>53</u>	Marginal Order signed on 12/6/2002 Denying as moot Defendants Barrett & Associates' and Gerald Barrett's Motion for judgment on the pleadings (Related Doc. <u>45</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 12/06/2002)
12/26/2002	<u>54</u>	Answer to Second Amended Complaint with jury demand (Related Doc # <u>51</u>) filed by Gerald Barrett, Barrett & Associates, Inc. (Rossiter, Britt) Modified on 12/26/2002 (S, R). (Entered: 12/26/2002)
12/26/2002	<u>55</u>	Motion for leave to <i>File Answer to Second Amended Complaint, Instantly</i> , filed by City of Cleveland. (Attachments: # <u>1</u> Pleading Answer of Defendants City of Cleveland and Fire Chief Kevin Gerrity)(Gibbons, Kevin) (Entered: 12/26/2002)
12/26/2002	<u>56</u>	Brief <i>in Opposition to Plaintiffs Request for Injunctive Relief</i> filed by City of Cleveland. (Related document(s) <u>51</u>) (Gibbons, Kevin) (Entered: 12/26/2002)
01/24/2003	<u>57</u>	Order signed on 1/24/2003 Granting, without opposition, Motion for leave to file answer to second amended complaint(Related Doc # <u>55</u>)(Chief Judge Paul R. Matia)(E, S) (Entered: 01/24/2003)
01/24/2003	<u>58</u>	Answer to <i>Second Amended Complaint with jury demand</i> filed by City of Cleveland, Kevin Gerity. (Related document(s) <u>27</u> , <u>29</u> , <u>1</u> , <u>51</u>) (E, S) (Entered: 01/24/2003)
01/24/2003	<u>59</u>	Notice of status conference to be held on 2/18/2003 at 10:30 AM at Chambers 19A (E, S) (Entered: 01/24/2003)
01/31/2003	<u>60</u>	Motion for judgment on the pleadings <i>or, in the alternative, for summary judgment</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Exhibit A – First Declaration of Gerald Barrett# <u>3</u> Exhibit B – Second Declaration of Gerald Barrett# <u>4</u> Exhibit C – Odum Dismissal# <u>5</u> Unreported Case – Alexander# <u>6</u> Unreported case – Barnes# <u>7</u> Unreported case – Brown# <u>8</u> Unreported case – Moss# <u>9</u> Unreported case – United Black Firefighters# <u>10</u> Unreported case – Walker)(Rossiter, Britt) (Entered: 01/31/2003)
02/19/2003	<u>61</u>	Order. The Court will treat the Defendants, Barrett & Associates and Gerald V. Barrett's motion for judgment on the pleadings or, in the alternative, for summary judgment as a motion for summary judgment (Related document <u>60</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 02/19/2003)
02/19/2003	<u>62</u>	Order. Plaintiffs to file a memorandum in opposition to defendants, Barrett & Associates and Gerald V. Barrett's motion for summary judgment by 3/21/2003; By 3/20/2003, lead counsel of record for plaintiffs and defendants, City of Cleveland and Fire Chief Kevin Gerrity, each to provide the Court and opposing counsel with a brief indicating the points and authorities on which they rely in support of their respective positions regarding the 2002 promotional examination (Related document(<u>60</u>), Chief Judge Paul R. Matia.(B, D) (Entered: 02/19/2003)
03/11/2003	<u>63</u>	Rule 56(f) Motion and Affidavit <i>for enlargement of time to respond to defendants' Barrett and Barrett & Associates motion for summary judgment or in the alternative, to dismiss or deny defendants' motion to be refiled after completion of discovery</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A–Thompson Affidavit# <u>2</u>)(Thompson, Dennis) Modified on 3/12/2003 (S, R). (Entered: 03/11/2003)

03/20/2003	<u>64</u>	Motion for order <i>To Release Hold on Promotional Exams</i> filed by City of Cleveland. (Gibbons, Kevin) (Entered: 03/20/2003)
03/21/2003	<u>65</u>	Notice of Hearing scheduling a Status Conference on 4/8/2003 at 4:15 p.m in Chambers 19A. (R, J) (Entered: 03/21/2003)
03/21/2003	<u>66</u>	Motion for extension of time <i>to file brief relating to 2002 promotional examination</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 03/21/2003)
03/21/2003	<u>67</u>	Exhibit(s) <i>to motion to release hold placed on 2002 Firefighter Promotional Exams</i> filed by all defendants. (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# <u>8</u> Exhibit 8)(Related document(s) <u>64</u>) (S, R) (Entered: 03/24/2003)
03/26/2003	<u>68</u>	Letter signed by Chief Judge Paul R. Matia admonishing counsel for defendants City of Cleveland and Fire Chief Kevin Gerrity to file all further documents electronically. (R, J) (Entered: 03/26/2003)
03/27/2003	<u>69</u>	Address Change Notice of <i>E-Mail Address</i> by Dennis R. Thompson filed by on behalf of all plaintiffs. (Thompson, Dennis) (Entered: 03/27/2003)
03/28/2003	<u>70</u>	Opposition (Related Motion(s) <u>63</u>) <i>to Plaintiffs' "Rule 56(f) motion and affidavit for enlargement of time"</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Rossiter, Britt) Modified on 3/31/2003 (S, R). (Entered: 03/28/2003)
03/28/2003	<u>71</u>	Points and Authorities <i>With Respect to the 2002 Promotional Exam</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A – Summary 1996, 2000 Promotions# <u>2</u> Exhibit B – Wollman Case Summary# <u>3</u> Exhibit C – Wollman Complaint# <u>4</u> Exhibit D – DROP Overview# <u>5</u> Exhibit E – DROP Detailed Description# <u>6</u> Exhibit F – Lieutenant Ranking 1996# <u>7</u> Exhibit G – Captain Ranking 1996# <u>8</u> Exhibit H – B. Chief Ranking 1996# <u>9</u> Exhibit I – A.Chief Ranking 1996# <u>10</u> Exhibit J – Lieutenant Ranking 2000# <u>11</u> Exhibit K – Captain Ranking 2000# <u>12</u> Exhibit L – B.Chief Ranking 2000# <u>13</u> Exhibit M – A.Chief Ranking 2000)(Related document(s) <u>62</u>) (Thompson, Dennis) Modified on 3/31/2003 (S, R). (Entered: 03/28/2003)
03/31/2003	<u>72</u>	Marginal Order signed by Chief Judge Paul R. Matia on 3/31/2003 denying Sean DeCrane's motion to intervene as a party defendant (Related Doc # <u>22</u>). (R, J) (Entered: 03/31/2003)
03/31/2003	<u>73</u>	Marginal Order signed by Chief Judge Paul R. Matia on 3/31/2003 granting Plaintiffs' motion for extension of time until 3/28/03 to file brief regarding the 2002 promotional examination (Related Doc # <u>66</u>). (R, J) (Entered: 03/31/2003)
03/31/2003	<u>74</u>	Notice of Filing <i>Additional Exhibit Re: 2002 Promotional Exam Brief</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit N – Order Re: Wollman Case)(Related document(s) <u>62</u>) (Thompson, Dennis) (Entered: 03/31/2003)
03/31/2003	<u>75</u>	Third Amended complaint against all defendants. Filed by Kevin Echols, Kevin Gerity, Kenneth Guyton, Anthony Luke, Daryl McGinnis, Lawrence Moore, Asa Newsome, Michael Odum, Bashir Rahman, Granville White, Bruce Williams. (Thompson, Dennis) (Entered: 03/31/2003)
04/01/2003	<u>76</u>	Motion to strike " <i>Third Amended Complaint</i> " filed by Gerald Barrett, Barrett & Associates, Inc.. (Related document(s) <u>75</u>) (Rossiter, Britt) (Entered: 04/01/2003)
04/01/2003	<u>77</u>	Response (Related Motion(s) <u>76</u>) <i>to Defendant Barrett's Motion to Strike Third Amended Complaint or in the alternative, Motion for Leave to File</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A – City's Certificate of Service)(Thompson, Dennis) Modified on 4/2/2003 (S, R). (Entered: 04/01/2003)
04/02/2003	<u>78</u>	Notice of Service of <i>Interrogatories, Admissions, and Request for Production of Documents on Defendants Barrett, et al</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 04/02/2003)
04/02/2003	<u>79</u>	Reply (Related Motion(s) <u>63</u>) <i>to Defendant Barrett's Opposition to Plaintiffs' Rule 56(f) Motion</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A – Subpoena

		Duces Tecum – July 2002)(Thompson, Dennis) (Entered: 04/02/2003)
04/09/2003	<u>80</u>	Marginal Order signed on 4/9/2003 Granting Plaintiff's Rule 56(f) Motion for extension of time; Plaintiffs to file a Memorandum in Opposition to Defendants, Barrett & Associates and Gerald V. Barrett's Motion for Summary Judgment by 4/22/2003 (Related Docs. <u>63</u> , <u>60</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 04/09/2003)
04/09/2003	<u>81</u>	Marginal Order signed on 4/9/2003 Withdrawing Motion to release hold placed on 2002 firefighter promotional exams; The Court will treat Doc. 64 as a brief filed in compliance with the Order entered on 2/19/03 (Related Docs. <u>64</u> , <u>62</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 04/09/2003)
04/11/2003	<u>82</u>	Supplement to <i>Defendant Gerald Barrett and Barrett & Associates' Motion for Judgment on the Pleadings Or, in the Alternative, for Summary Judgment</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Related document(s) <u>60</u>) (Rossiter, Britt) (Entered: 04/11/2003)
04/14/2003	<u>83</u>	Order signed on 4/14/2003. Plaintiffs are granted leave to file the third amended complaint, which is deemed filed as of 4/14/2003; Defendants Gerald V. Barrett and Barrett & Associates, Inc.'s Motion to strike the third amended complaint is denied as moot (Related Docs. <u>75</u> , <u>76</u> , <u>77</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 04/14/2003)
04/21/2003	<u>84</u>	Reply Brief to <i>Plaintiff's points and authorities concerning the 2002 Promotional Exam</i> filed by City of Cleveland. (Attachments: # <u>1</u>)(Related document(s) <u>74</u>) (Gibbons, Kevin) Modified on 4/22/2003 (S, R). (Entered: 04/21/2003)
04/23/2003	<u>85</u>	Motion to enlarge time to respond to defendant Barrett's motion for Summary Judgment Response filed by all plaintiffs. (Thompson, Dennis) Modified on 4/24/2003 (S, R). (Entered: 04/23/2003)
04/24/2003	<u>86</u>	Answer to Third Amended Complaint with jury demand (Related Doc # <u>75</u>) filed by Gerald Barrett, Barrett & Associates, Inc. (Rossiter, Britt) Modified on 4/24/2003 (S, R). (Entered: 04/24/2003)
04/24/2003	<u>87</u>	Answer to Third Amended Complaint with jury demand (Related Doc # <u>75</u>) filed by City of Cleveland. (Related document(s) <u>75</u>) (Gibbons, Kevin) Modified on 4/25/2003 (S, R). (Entered: 04/24/2003)
04/24/2003	<u>88</u>	Third Brief in Opposition to plaintiffs' request for Injunctive Relief filed by City of Cleveland. (Related document(s) <u>75</u>) (Gibbons, Kevin) Modified on 4/25/2003 (S, R). (Entered: 04/24/2003)
04/24/2003	<u>89</u>	Response (Related Motion(s) <u>60</u>) to Defendant Barrett's Motion for Summary Judgment filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Ord. No. 290–01# <u>2</u> Exhibit 2 – Agreement City & Barrett# <u>3</u> Exhibit 3 – City's Request for Proposal# <u>4</u> Exhibit Barrett Proposal# <u>5</u> Exhibit 5 – Expert Witness Fee Schedule# <u>6</u> Exhibit 6 – Barrett vitae# <u>7</u> Exhibit 7 – Chapter 167(b))(Thompson, Dennis) Modified on 4/25/2003 (S, R). (Entered: 04/24/2003)
04/24/2003	<u>90</u>	Suggestion of Lack of Jurisdiction Over Records Claim filed by all plaintiffs. (Thompson, Dennis) Modified on 4/25/2003 (S, R). (Entered: 04/24/2003)
04/25/2003	<u>91</u>	Marginal Order signed by Chief Judge Paul R. Matia on 4/25/2003 granting Plaintiffs' motion for an enlargement of three days to respond to Defendant Barrett's motion for summary judgment (Related Doc # <u>85</u>). (R, J) (Entered: 04/25/2003)
04/30/2003	<u>92</u>	Reply Memorandum (Related Motion(s) <u>60</u>) in Support of Motion for Summary Judgment filed by Gerald Barrett, Barrett & Associates, Inc. (Rossiter, Britt) Modified on 5/1/2003 (S, R). (Entered: 04/30/2003)
05/06/2003	<u>93</u>	Motion for leave to file surrebuttal instanter filed by all plaintiffs. (Thompson, Dennis) (Entered: 05/06/2003)

05/09/2003	<u>94</u>	Motion to strike <i>Plaintiffs' "Suggestion of Lack of Subject Matter Jurisdiction"</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Related document(s) <u>90</u>) (Rossiter, Britt) (Entered: 05/09/2003)
05/14/2003	<u>95</u>	Opposition (Related Motion(s) <u>94</u>) to <i>Defendant Barrett's Motion to Strike Suggestion of Lack of Subject Matter Jurisdiction</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 05/14/2003)
05/14/2003	<u>96</u>	Motion for extension of time to <i>complete discovery</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 05/14/2003)
06/12/2003	<u>97</u>	Marginal Order signed on 6/12/2003 Granting Plaintiffs' Unopposed Motion to file surrebuttal (Related Doc. <u>93</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 06/12/2003)
06/12/2003	<u>98</u>	Order signed on 6/12/2003 Granting Plaintiffs' Unopposed Motion to enlarge time to complete discovery; Discovery cutoff is extended until 8/19/2003 (Related Doc. <u>96</u>), Chief Judge Paul R. Matia. (B, D) (Entered: 06/12/2003)
06/24/2003	<u>99</u>	Attorney Appearance of <i>Christy B. Bishop</i> by Dennis R. Thompson filed by on behalf of all plaintiffs. (Thompson, Dennis) (Entered: 06/24/2003)
06/30/2003	<u>100</u>	Motion for leave to <i>file manually motion to intervene</i> filed by William Marconi, Louis Hahn, Joseph Simone, Patrick Corrigan, Eric Burchak, Darrell Starnik. (Attachments: # <u>1</u> Motion to Intervene)(S, R) (Entered: 06/30/2003)
07/11/2003	<u>101</u>	Notice of <i>Supplemental Exhibits in opposition to summary judgment</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Report of Dr. Robert Johnson)(Related document(s) <u>89</u>) (Thompson, Dennis) (Entered: 07/11/2003)
08/05/2003	<u>102</u>	Joint Status Report of <i>the Parties</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 08/05/2003)
08/05/2003	<u>103</u>	Joint Motion for extension of time to <i>complete discovery</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 08/05/2003)
08/14/2003	<u>104</u>	Notice of <i>Supplemental Controlling Authority</i> filed by all plaintiffs. (Attachments: # <u>1</u> Anthony v. BTR)(Bishop, Christy) (Entered: 08/14/2003)
08/18/2003	<u>105</u>	Notice of <i>Substitution of Counsel</i> filed by City of Cleveland. (Gibbons, Kevin) (Entered: 08/18/2003)
08/20/2003	<u>106</u>	Motion to intervene as an additional party defendant pursuant to FRCP 24(A)(2) filed by Brian Luther. (Attachments: # <u>1</u>)(Gibbons, John) Modified on 8/21/2003 (S, R). (Entered: 08/20/2003)
09/02/2003	<u>107</u>	Supplemental Notice of <i>Additional Authority in Support of Plaintiffs' Opposition to Defendant Barrett's Motion for Summary Judgment</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Supplemental Exhibit in Support of Plaintiffs' Opposition to Barrett's Motion for Summary Judgment)(Related document(s) <u>89</u>) (Bishop, Christy)(DOCUMENT STRICKEN ON 3/26/2004). Modified on 3/26/2004 to include statement regarding stricken document) (S, B). (Entered: 09/02/2003)
09/02/2003	<u>108</u>	Motion to strike <i>Plaintiffs' Supplemental Notice Of Filing Supplemental Exhibit In Support Of Plaintiffs' Opposition To Defendants Barrett, et al.'s Motion For Summary Judgment</i> filed by Gerald Barrett, Barrett & Associates, Inc.. (Attachments: # <u>1</u> Unreported decision (Ford Motor Co))(Related document(s) <u>107</u>) (Rossiter, Britt) (Entered: 09/02/2003)
09/03/2003	<u>109</u>	Motion for extension of time to <i>Respond to Motion of Brian Luther to Intervene as a Party</i> filed by all plaintiffs. (Related document(s) <u>106</u>) (Bishop, Christy) (Entered: 09/03/2003)
09/17/2003	<u>110</u>	Notice of <i>Service of Settlement Proposal</i> filed by all plaintiffs. (Bishop, Christy) (Entered: 09/17/2003)
09/22/2003	<u>111</u>	Response (Related Motion(s) <u>106</u>) to <i>Motion to Intervene as a Party</i> filed by <i>Brian Luther</i> filed by all plaintiffs. (Attachments: # <u>1</u> Unrep. Case – Johnson v. City of Memphis)(Bishop, Christy) (Entered: 09/22/2003)

09/22/2003	<u>112</u>	Response (Related Motion(s) <u>108</u>) to Defendant Barrett's Motion to Strike Supplemental SJ Exhibit filed by all plaintiffs. (Bishop, Christy) (Entered: 09/22/2003)
09/26/2003	<u>113</u>	Notice of Filing "Exhibit 1" inadvertently omitted from Plaintiffs' Response to Motion by Brian Luther to Intervene filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Opposition to Motion by Brian Luther to Intervene)(Related document(s) <u>111</u>) (Bishop, Christy) (Entered: 09/26/2003)
09/29/2003	<u>114</u>	Reply (Related Motion(s) <u>108</u>) in Support of Defendant Gerald Barrett and Barrett & Associates' Motion to Strike filed by Gerald Barrett, Barrett & Associates, Inc.. (Rossiter, Britt) (Entered: 09/29/2003)
09/29/2003	<u>115</u>	Motion for sanctions filed by Gerald Barrett, Barrett & Associates, Inc.. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Unreported Case (Kallok))(Rossiter, Britt) (Entered: 09/29/2003)
10/15/2003	<u>116</u>	Motion for extension of time to Respond to Barrett's Motion for Sanctions filed by all plaintiffs. Related document(s) <u>115</u> . (Bishop, Christy) (Entered: 10/15/2003)
10/20/2003	<u>117</u>	Status Report filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/20/2003)
10/29/2003	<u>118</u>	Notice of Service of Defendant Barrett & Associates, Inc.'s Responses to Plaintiffs' First Request for Admissions filed by Barrett & Associates, Inc.. (Rossiter, Britt) (Entered: 10/29/2003)
03/23/2004	<u>119</u>	Order granting motion of individual Cleveland firefighters Darrell Starnik, Eric Burchak, Patrick Corrigan, Joseph Simone, Louis Hahn and William Marconi for leave to file manually a motion to intervene (Related Doc # <u>100</u>). Signed by Judge Paul R. Matia on 3/23/04.(R, J) (Entered: 03/23/2004)
03/23/2004	<u>120</u>	Motion to intervene pursuant to F.R.C.P. 24(A)(2) filed by Eric Burchak, Patrick Corrigan, Louis Hahn, William Marconi, Joseph Simone and Darrell Starnik. (Attachments: #(1) Brief in Support #(2) Affidavit of Darrell Starnik #(3) Affidavit of Eric Burchak #(4) Affidavit of William Marconi #(5) Affidavit of Joseph Simeone #(6) Affidavit of Louis Hahn #(7) Affidavit of Patrick Corrigan).(R, J) (Entered: 03/23/2004)
03/23/2004	<u>121</u>	Marginal Order granting plaintiffs and defendant City of Cleveland's motion for extension of time of time until 11/30/03 to complete discovery (Related Doc # <u>103</u>). Signed by Judge Paul R. Matia on 3/23/04.(R, J) (Entered: 03/23/2004)
03/23/2004	<u>122</u>	Marginal Order granting plaintiffs' motion for extension of time to respond to the latest motion to intervene until 9/22/03 (Related Doc # <u>109</u>). Signed by Judge Paul R. Matia on 3/23/04.(R, J) (Entered: 03/23/2004)
03/26/2004	<u>123</u>	Marginal Order granting plaintiffs' motion for extension of time to respond to defendant Barrett's motion for sanctions (Related Doc # <u>116</u>). Signed by Judge Chief Paul R. Matia on 3/26/2004.(S, B) (Entered: 03/26/2004)
03/26/2004	<u>124</u>	Order granting defendants Barrett & Associates, Inc. and Gerald V. Barrett's motion to strike (Related Doc # <u>108</u>). Plaintiffs' notice of filing supplemental exhibit (Doc # <u>107</u>), filed on September 2, 2003 is STRICKEN FROM THE FILE pursuant to Fed. R. Civ. P. 12(f). It Is So Ordered. Signed by Chief Judge Paul R. Matia on 3/26/04.(S, B) (Entered: 03/26/2004)
03/29/2004	<u>125</u>	Order denying Brian Luther's motion to intervene pursuant to Fed. R. Civ. P. 24(a)(2)(Related Doc # <u>106</u>). Signed by Judge Paul R. Matia on 3/29/04.(R, J) (Entered: 03/29/2004)
05/13/2004	<u>126</u>	Order denying individual Cleveland Fire Fighters Darrell Starnik, Eric Burchak, Patrick Corrigan, Joseph Simone, Louis Hahn and William Marconi's Motion to intervene as a party. (Related Doc # <u>120</u>). Signed by Chief Judge Paul R. Matia on 5/13/04. (E, S) Corrected document added on 5/13/2004 (R, J). (Entered: 05/13/2004)
07/29/2004	<u>127</u>	Notice of Hearing scheduling a Status Conference for 9/8/2004 at 1:30 p.m. in Chambers 19A before Hon. Paul R. Matia. (R, J) (Entered: 07/29/2004)

07/30/2004	<u>128</u>	Motion to continue <i>Status Conference</i> filed by City of Cleveland. Related document(s) <u>127</u> . (Gibbons, Kevin) (Entered: 07/30/2004)
08/03/2004	<u>129</u>	Order granting Motion to continue Status Conference(Related Doc # <u>128</u>). Status Conference reset for 9/13/2004 at 4:00 p.m.. Signed by Chief Judge Paul R. Matia on 8/03/2004.(S, B) (Entered: 08/03/2004)
08/20/2004	<u>130</u>	Notice of <i>counsel's firm name cange to "Thompson & Bishop"</i> filed by all plaintiffs. (Bishop, Christy) (Entered: 08/20/2004)
08/31/2004	<u>131</u>	Interim Status Report filed by all plaintiffs. (Thompson, Dennis) (Entered: 08/31/2004)
09/14/2004	<u>132</u>	Order extending discovery cutoff until 12/31/2004, and extending dispositive motion deadline until 2/28/2005. Signed by Chief Judge Paul R. Matia on 9/14/2004. (S, B) (Entered: 09/14/2004)
11/19/2004	<u>133</u>	Motion to compel discovery filed by City of Cleveland. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Affidavit Certification of good faith efforts# <u>3</u> Exhibit A: e-mail service of discovery request# <u>4</u> Exhibit B: Letter requesting response to discovery request# <u>5</u> Exhibit C: Second letter requesting response to discovery request# <u>6</u> Exhibit D: Third letter requesting response to discovery request)(Gibbons, Kevin) (Entered: 11/19/2004)
12/06/2004	<u>134</u>	Notice of Substitution of Counsel removing attorney <i>William M. Menzalora</i> and adding attorney L. Stewart Hastings, Jr. filed by on behalf of City of Cleveland. (Hastings, Jr., L.) (Entered: 12/06/2004)
12/09/2004	<u>135</u>	Motion for protective order <i>from having to respond to Defendant's Interrogatris and requests for Production of Documents</i> filed by all plaintiffs. Related document(s) <u>133</u> . (Attachments: # <u>1</u> Exhibit A 0 Defendant' City of Cleveland's Interrogatories to Certain Plaintiffs# <u>2</u> Appendix Security Insurance v. Trademark Insurance)(Thompson, Dennis) Modified, attachment, unable to read, attorney notified by email on 12/10/2004 (E, P). (Entered: 12/09/2004)
12/09/2004	<u>136</u>	Motion for extension of Discovery Cut-off until February 15, 2005 filed by all plaintiffs. (Thompson, Dennis) (Entered: 12/09/2004)
12/13/2004	<u>137</u>	Response to Motion to compel discovery filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>133</u> . (Rossiter, Britt) (Entered: 12/13/2004)
12/13/2004	<u>138</u>	Motion for <i>Separate Trials</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Unreported decision - Mlinaric# <u>3</u> Unreported decision - Reid# <u>4</u> Unreported decision - United Black Firefighters)(Rossiter, Britt) (Entered: 12/13/2004)
12/14/2004	<u>139</u>	Motion for <i>settlement conference</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 12/14/2004)
12/17/2004	<u>140</u>	Response to Motion to compel discovery, Motion for protective order <i>from having to respond to Defendant's Interrogatris and requests for Production of Documents</i> filed by City of Cleveland. Related document(s) <u>133</u> , <u>135</u> . (Marquit Renwald, Amy) (Entered: 12/17/2004)
12/17/2004	<u>141</u>	Response to Motion for extension of Discovery Cut-off until February 15, 2005 filed by City of Cleveland. Related document(s) <u>136</u> . (Marquit Renwald, Amy) (Entered: 12/17/2004)
12/17/2004	<u>142</u>	Order granting Motion to compel discovery (Related Doc # <u>133</u>), denying Motion for protective order (Related Doc # <u>135</u>). Signed by Chief Judge Paul R. Matia on 12/17/2004.(S, B) (Entered: 12/17/2004)
12/27/2004	<u>143</u>	Notice of Service of <i>complete expert report and curriculum vitae</i> on 12/20/04 filed by all plaintiffs. (Thompson, Dennis) Modified text on 12/28/2004 (E, P). (Entered: 12/27/2004)
12/27/2004	<u>144</u>	Initial Disclosures filed by all plaintiffs. (Thompson, Dennis) (Entered: 12/27/2004)

12/28/2004	<u>145</u>	Order granting <u>136</u> plaintiffs' motion to enlarge discovery cutoff. Discovery is extended until 2/15/2005 and the Dispositive Motion deadline is extended to 4/15/2005. Signed by Judge Paul R. Matia on 12/28/2004.(issued on 12/28/2004)(B, B) (Entered: 12/28/2004)
12/30/2004	<u>146</u>	Motion for <i>Order to Permit Counsel to Attend Depositions</i> filed by Association of Cleveland Fire Fighters, Local 93 of the Internation Association of Fire Fighters. Related document(s) <u>145</u> . (Diemert, Jr., Joseph) (Entered: 12/30/2004)
01/03/2005	<u>147</u>	Notice of Service of <i>Documents Responsive to request for Production of Documents on 12/22/04</i> filed by all plaintiffs. (Thompson, Dennis) Modified text on 1/4/2005 (E, P). (Entered: 01/03/2005)
01/10/2005	<u>148</u>	Motion for extension of time to respond to motion for trial bifurcation filed by all plaintiffs. Related document(s) <u>138</u> . (Bishop, Christy) Modified text on 1/14/2005 (E, P). (Entered: 01/10/2005)
01/10/2005	<u>149</u>	Motion for extension of to oppose Union's "Motion to Attend Depositions" until 1/26/2005 filed by all plaintiffs. Related document(s) <u>146</u> . (Bishop, Christy) (Entered: 01/10/2005)
01/12/2005	<u>150</u>	Order referring <u>139</u> Motion for settlement conference filed by Anthony Luke, Keith Acey, Rudolph Buffington, Michael Odum, Bashir Rahman, Daryl McGinnis, Kenneth Guyton, Bruce Williams, Kevin Echols, Granville White, Asa Newsome, Lawrence Moore, to Magistrate Judge Magistrate Patricia A. Hemann. Signed by Judge Paul R. Matia on 1/12/2005.(S, B) (Entered: 01/12/2005)
01/24/2005	<u>151</u>	Motion for <i>Order to Permit Counsel for Cleveland Fire Fighters Local 93 to Attend Settlement Conference</i> filed by Association of Cleveland Fire Fighters, Local 93 of the Internation Association of Fire Fighters. (Diemert, Jr., Joseph) (Entered: 01/24/2005)
01/25/2005	<u>152</u>	Marginal Order granting <u>149</u> : plaintiffs' motion for time until 1/26/2005 to oppose Union's motion to attend deposition . Signed by Judge Paul R. Matia on 1/25/2005.(S, B) (Entered: 01/25/2005)
01/26/2005	<u>153</u>	Opposition to Motion for <i>Order to Permit Counsel to Attend Depositions and Plaintiffs' Request for Costs</i> filed by all plaintiffs. Related document(s) <u>146</u> . (Attachments: # <u>1</u> Jackson v. Willy# <u>2</u> Abulaila v. Runyon)(Bishop, Christy) (Entered: 01/26/2005)
01/26/2005	<u>154</u>	Opposition to Motion for <i>Order to Permit Counsel for Cleveland Fire Fighters Local 93 to Attend Settlement Conference</i> filed by all plaintiffs. Related document(s) <u>151</u> . (Bishop, Christy) (Entered: 01/26/2005)
01/27/2005	<u>155</u>	Motion for sanctions filed by City of Cleveland, Kevin Gerity. (Attachments: # <u>1</u> Exhibit Dr. Johnson Document# <u>2</u> Exhibit Court's Order Compelling Discovery# <u>3</u> Exhibit Letter from Defense Counsel# <u>4</u> Exhibit Dr. Johnson Depo Transcript# <u>5</u> Exhibit Plaintiffs' Initial Disclosures# <u>6</u> Exhibit Letter from Plaintiffs' Counsel# <u>7</u> Exhibit case – Allianz Ins. Co.# <u>8</u> Exhibit case – Directory Dividends, Inc.)(Marquit Renwald, Amy) (Entered: 01/27/2005)
01/28/2005	<u>156</u>	Minutes of proceedings. Telephone conference held re Settlement before Judge Patricia A. Hemann. Counsel to appear 2/7 and 2/8 to work on settlement. Court will be available to assist. (W, Gloria) (Entered: 01/28/2005)
02/10/2005	<u>157</u>	Motion for extension of Response to Defendant's Motion for Sanctions until February 25, 2005 filed by all plaintiffs. Related document(s) <u>155</u> . (Bishop, Christy) (Entered: 02/10/2005)
02/10/2005	<u>158</u>	Motion to dismiss <i>Defendants Barrett & Associates, INC. and Gerald Barrett, without prejudice, pursuant to Federal Civil Rule 41(A)</i> filed by all plaintiffs. (Thompson, Dennis) Modified on 7/16/05 to term motion as withdrawn. (Related Doc. <u>225</u> , <u>205</u>) (M, G). (Entered: 02/10/2005)
02/11/2005	<u>159</u>	Response to Motion to dismiss <i>Defendants Barrett & Associates, INC. and Gerald Barrett, without prejudice, pursuant to Federal Civil Rule 41(A)</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>158</u> . (Rossiter, Britt)

		(Entered: 02/11/2005)
02/14/2005	<u>160</u>	Minutes of proceedings. Settlement Conference held 2/7 ; 2/8 and 2/14/2005 before Judge Patricia A. Hemann. Case cannot be resolved without attendance of Mayor at conferences. Referral terminated. (W, Gloria) (Entered: 02/14/2005)
02/15/2005	<u>161</u>	Motion for extension of Discovery, 2/15/05 until 4/15/05 filed by all plaintiffs. (Thompson, Dennis) (Entered: 02/15/2005)
02/15/2005	<u>162</u>	Motion to dismiss <i>Bashir Rahman pursuant to Fed. R. Civ. P. 41, without prejudice</i> filed by Bashir Rahman. (Thompson, Dennis) (Entered: 02/15/2005)
02/17/2005	<u>163</u>	Notice of Filing of Supplemental Exhibit filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Dr. Barrett's Rule 26 Report) Related document(s) <u>60</u> , <u>92</u> , <u>115</u> , <u>159</u> . (Rossiter, Britt) (Entered: 02/17/2005)
02/18/2005	<u>166</u>	Minutes of proceedings. Discovery dispute by telephone held on 2/18/2005 before Judge Patricia A. Hemann. Plaintiffs are ordered to respond to outstanding discovery form defendant, Barrett & Associates and to produce expert reports no later than 3/4/2005. (W, Gloria) (Entered: 03/01/2005)
02/23/2005	<u>164</u>	Motion to strike <i>expert reports & exclude experts, with leave to file brief in support by March 31, 2005</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 02/23/2005)
02/28/2005	<u>165</u>	Notice of Suggestion On Record filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) (Entered: 02/28/2005)
03/02/2005	<u>167</u>	Motion for extension of Provide Supplemental Expert Report until 14 days after requested information provided filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit A – Letter to Thomas Barnard re: electronic data, February 21, 05# <u>2</u> Exhibit B – Letter to Thomas Barnard re: SPSS files, 1996 and 2000 examinations)(Thompson, Dennis) (Entered: 03/02/2005)
03/02/2005	<u>168</u>	Motion for extension of Response to Defendant City of Cleveland's Motion for Sanctions & Defendant Barrett's "Response/Motion" to Plaintiffs' Motion to Dismiss Barrett until March 11, 2005 filed by all plaintiffs. Related document(s) <u>155</u> , <u>157</u> , <u>159</u> . (Bishop, Christy) (Entered: 03/02/2005)
03/03/2005	<u>169</u>	Response to Motion to strike <i>expert reports & exclude experts, with leave to file brief in support by March 31, 2005</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>164</u> . (Rossiter, Britt) (Entered: 03/03/2005)
03/07/2005	<u>170</u>	Response to Motion to strike <i>expert reports & exclude experts, with leave to file brief in support by March 31, 2005</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>164</u> . (Marquit Renwald, Amy) (Entered: 03/07/2005)
03/16/2005	<u>171</u>	Interim Status Report filed by all plaintiffs. (Thompson, Dennis) (Entered: 03/16/2005)
03/18/2005	<u>172</u>	Initial Disclosures filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) (Entered: 03/18/2005)
03/29/2005	<u>173</u>	Address Change Notice by Britt J. Rossiter filed by on behalf of Barrett & Associates, Inc., Gerald Barrett. (Rossiter, Britt) (Entered: 03/29/2005)
03/30/2005	<u>174</u>	Notice of Substitution of Counsel removing attorney <i>Rossiter</i> and adding attorney Michelle R. Arendt filed by on behalf of Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 03/30/2005)
04/06/2005	<u>175</u>	Motion for extension of Dispositive Motion until June 3, 2005 filed by Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 04/06/2005)
04/13/2005	<u>176</u>	Brief in Support of Plaintiff's Feb. 23 Motion to Exclude Evidence filed by all plaintiffs. Related document(s) <u>164</u> . (Attachments: # <u>1</u> Exhibit 1 – Agreement City & Barrett# <u>2</u> Exhibit 2 – Barrett Memo to City – 7–2002# <u>3</u> Exhibit 3 – Barnard Letter to Thompson re Barrett docs – 9–23–2002# <u>4</u> Exhibit 4 – Barrett's first Mention of Sanctions# <u>5</u> Exhibit 5 – Barrett's Responses to P's Request for Admissions# <u>6</u> Exhibit 6 – Letter Rossiter – Service of Admissions

		Responses# <u>7</u> Exhibit 7 – Letter re "new discovery" 10–25–2004# <u>8</u> Exhibit 9 – Barrett's Responses to Interrogatory Requests – 10–2003# <u>9</u> Exhibit 10 – Ltr – Gibbons to Thompson re Henderson "Expert" Report – 2–15–2005) (Bishop, Christy) (Entered: 04/13/2005)
04/18/2005	<u>177</u>	Notice of Filing additional Evidentiary Exhibits in Support of Brief In Support of Motion to Exclude Defendant's Expert filed by all plaintiffs. (Attachments: # <u>1</u> Affidavit Declaration of Emmett Jordan# <u>2</u> Exhibit 11 – Barrett's Responses to Request for Production)Related document(s) <u>176</u> . (Bishop, Christy) (Entered: 04/18/2005)
04/21/2005	<u>178</u>	Response to Motion for sanctions by defendant City of Cleveland filed by all plaintiffs. Related document(s) <u>155</u> . (Thompson, Dennis) Modified text on 4/27/2005 (E, P). (Entered: 04/21/2005)
04/29/2005	<u>179</u>	MarginalOrder denying as moot plaintiff's motion for settlement conference (Related Doc # <u>139</u>). Signed by Judge Paul R. Matia on 4/29/2005.(S, B) (Entered: 04/29/2005)
04/29/2005	<u>180</u>	MarginalOrder denying as moot Motion to permit counsel for Cleveland Firefighters' Local 93 to attend settlement conference (Related Doc # <u>151</u>). Signed by Judge Paul R. Matia on 4/29/2005.(S, B) (Entered: 04/29/2005)
05/02/2005	<u>181</u>	MarginalOrder granting <u>157</u> plaintiff's motion for extension of response to defendant's motion for sanctions . Signed by Judge Paul R. Matia on 5/02/2005.(S, B) (Entered: 05/02/2005)
05/02/2005	<u>182</u>	MarginalOrder granting <u>161</u> plaintiffs' motion to extend discovery. Extension granted until 6/30/2005. Signed by Judge Paul R. Matia on 5/02/2005.(S, B) (Entered: 05/02/2005)
05/02/2005	<u>183</u>	MarginalOrder granting plaintiffs' motion to dismiss Bashir Rahman (Related Doc # <u>162</u>). Signed by Judge Paul R. Matia on 5/02/2005.(S, B) (Entered: 05/02/2005)
05/02/2005	<u>184</u>	MarginalOrder granting <u>168</u> plaintiffs' motion for extension of response to defendant City of Cleveland's motion for sanctions and defendant Barrett's response/motion. Granted until April 21, 2005. Signed by Judge Paul R. Matia on 5/02/2005.(S, B) (Entered: 05/02/2005)
05/02/2005	<u>185</u>	Motion for extension of time until May 11, 2005 to Respond to Plaintiffs' Brief in Support of Motion to Exclude Expert filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>176</u> , <u>177</u> . (Arendt, Michelle) (Entered: 05/02/2005)
05/02/2005	<u>186</u>	Motion for extension of dispositive motion until August 31, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>182</u> . (Marquit Renwald, Amy) (Entered: 05/02/2005)
05/03/2005	<u>187</u>	Motion to dismiss <i>Marcus Turner pursuant to Fed. R. Civ. P. 41(A)</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 05/03/2005)
05/03/2005	<u>188</u>	Motion for extension of deadline to reply to Ps' opposition to Ds' motion for sanctions until May 20, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>155</u> , <u>178</u> . (Marquit Renwald, Amy) (Entered: 05/03/2005)
05/03/2005	<u>189</u>	Motion for extension of deadline to respond to Ps' motion to strike/exclude evidence until May 20, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>176</u> , <u>177</u> , <u>164</u> . (Marquit Renwald, Amy) (Entered: 05/03/2005)
05/11/2005	<u>190</u>	Response to Plaintiffs' Brief in Support of Motion to Exclude Expert of Defendants filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A– Barrett Declaration# <u>2</u> Exhibit B – Declaration in Response to Motion to Exclude# <u>3</u> Exhibit C – Luke Deposition Pages# <u>4</u> Exhibit D – July 15, 2003 Fax# <u>5</u> Exhibit E – November 22, 2004 Letter) (Arendt, Michelle) (Entered: 05/11/2005)

05/12/2005	<u>191</u>	Reply to response to Motion to dismiss <i>Defendants Barrett & Associates, INC. and Gerald Barrett, without prejudice, pursuant to Federal Civil Rule 41(A)</i> filed by all plaintiffs. Related document(s) <u>158</u> . (Attachments: # <u>1</u> Exhibit 1 – First Letter to Commission Officer Willson (Ne Lackey)# <u>2</u> Exhibit 2 – Second Letter to Commission Officer Wilson (Nee Lackey)# <u>3</u> Exhibit 3 – Letter of Firefighter Expressing Suspicion of 1996 Examination)(Bishop, Christy) (Entered: 05/12/2005)
05/20/2005	<u>192</u>	Motion for extension of Deadline to reply to Ps' opposition to Ds' motion for sanctions until June 3, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>155</u> , <u>178</u> . (Marquit Renwald, Amy) (Entered: 05/20/2005)
05/20/2005	<u>193</u>	Motion for extension of deadline to respond to Ps' motion to strike/exclude experts until June 3, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>176</u> , <u>177</u> , <u>164</u> . (Marquit Renwald, Amy) (Entered: 05/20/2005)
05/23/2005	<u>194</u>	Motion for extension of Reply to Barrett's Opposition to Motion to Exclude until 06/06/05 filed by all plaintiffs. Related document(s) <u>176</u> , <u>190</u> . (Bishop, Christy) (Entered: 05/23/2005)
05/25/2005	<u>195</u>	Motion for extension of Dispositive Motion until August 31, 2005 filed by Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 05/25/2005)
06/02/2005	<u>196</u>	Motion for extension of Deadline to respond to Plaintiffs' brief in support of their motion to strike and exclude experts until June 17, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>176</u> , <u>189</u> , <u>177</u> , <u>164</u> , <u>193</u> , <u>170</u> . (Attachments: # <u>1</u> Affidavit Affidavit of Steve Chicatelli, Exhibit 1)(Marquit Renwald, Amy) (Entered: 06/02/2005)
06/03/2005	<u>197</u>	Opposition to Motion for extension of Dispositive Motion until August 31, 2005 <i>and Opposition to the filing of a second dispositive motion, the first having been filed in 2003</i> filed by all plaintiffs. Related document(s) <u>195</u> . (Attachments: # <u>1</u> Exhibit Barrett's Opposition to Plaintiffs' 56f 2003)(Bishop, Christy) Modified text on 6/6/2005 (P, G). (Entered: 06/03/2005)
06/03/2005	<u>198</u>	Motion for extension of deadline to respond to Plaintiffs' opposition to Defendants' motion for sanctions until June 17, 2005 filed by City of Cleveland, Kevin Gerity. Related document(s) <u>188</u> , <u>178</u> , <u>192</u> , <u>181</u> , <u>168</u> , <u>155</u> , <u>184</u> , <u>157</u> . (Marquit Renwald, Amy) (Entered: 06/03/2005)
06/03/2005	<u>199</u>	Notice of reassigning case to Judge James S. Gwin pursuant to the protocol adopted by this Court for reassignment of the docket of Judge Paul R. Matia.(H, D) (Entered: 06/03/2005)
06/13/2005	<u>200</u>	Opposition to Motion for extension of Deadline to respond to Plaintiffs' brief in support of their motion to strike and exclude experts until June 17, 2005 filed by all plaintiffs. Related document(s) <u>196</u> . (Bishop, Christy) Modified text on 6/14/2005 (P, G). (Entered: 06/13/2005)
06/13/2005	<u>201</u>	Reply to Plaintiffs' brief in opposition to City's Motion for Sanctions filed by City of Cleveland. Related document(s) <u>178</u> , <u>155</u> . (Attachments: # <u>1</u> Exhibit A: 1996 City Contract with Barrett# <u>2</u> Exhibit B: 2000 City Contract with Barrett# <u>3</u> Exhibit C: 2002 City Contract with Barrett# <u>4</u> Exhibit D: Letter from Attorney Gibbons 3-8-05# <u>5</u> Exhibit E: Letter from Attorney Rossiter 10-25-04# <u>6</u> Exhibit F: Letter from Attorney Gibbons 2-15-05# <u>7</u> Exhibit G: Affidavit of Lisa Meece# <u>8</u> Exhibit H: Letters from Shannon Milner 2-24-05; 3-15-05# <u>9</u> Letter from Attorney Bishop# <u>10</u> Declaration of Steve Chicatelli# <u>11</u> Barrett Memo to City 7-29-02) (Gibbons, Kevin) Modified text on 6/14/2005 (P, G). (Entered: 06/13/2005)
06/14/2005	<u>202</u>	Response to Motion to strike <i>expert reports & exclude experts, with leave to file brief in support by March 31, 2005 and Response to Plaintiffs' Brief in Support document 176</i> filed by City of Cleveland. Related document(s) <u>164</u> . (Attachments: # <u>1</u> Exhibit D: Letters from Attorney Gibbons to Expert 11-04# <u>2</u> Exhibit E: Letter from Attorney Rossiter 10-25-04# <u>3</u> Exhibit F: Letter from Gibbons 2-15-05# <u>4</u> Exhibit G: Affidavit of Lisa Meece# <u>5</u> Exhibit H: 1996 Fire Exam List# <u>6</u> Exhibit I: 2000 Fire Exam List# <u>7</u> Exhibit J: Declaration of

		Steve Chicatelli# <u>8</u> Exhibit K: Barrett Memo to City 7-29-02)(Gibbons, Kevin) (Entered: 06/14/2005)
06/14/2005	<u>203</u>	Reply to response to Motion for extension of Dispositive Motion until August 31, 2005 filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>195</u> . (Arendt, Michelle) (Entered: 06/14/2005)
06/16/2005	<u>204</u>	DOCUMENT TO BE FILED AS A MOTION. Notice of <i>withdrawal of plaintiffs' motion to dismiss Defendants Barret, et al.</i> filed by all plaintiffs. Related document(s) <u>191</u> , <u>158</u> , <u>159</u> . (Bishop, Christy) Modified on 6/17/2005 to note filing error (P, G). (Entered: 06/16/2005)
06/21/2005	<u>205</u>	Motion to withdraw document <i>i.e., Motion to Dismiss Defendants Barrett, et al.</i> filed by all plaintiffs. Related document(s) <u>158</u> , <u>204</u> . (Thompson, Dennis) (Entered: 06/21/2005)
06/22/2005	<u>206</u>	Notice that a status conference has been set for 7/1/05 at 11:15 a.m., in Chambers 21B (Cleveland) before Judge James S. Gwin. (M, G) (Entered: 06/22/2005)
06/23/2005	<u>207</u>	Order signed by Judge James S. Gwin on 6/23/05 referring motion for sanctions by Defendants Barrett & Associates, Inc., and Gerald Barrett and City of Cleveland and Kevin Gerity to Magistrate Judge Hemann. (Related Doc. <u>115</u> , <u>155</u>) (M, G) (Entered: 06/23/2005)
06/27/2005	<u>208</u>	Motion for protective order <i>re: Defendant City of Cleveland's 16 Notices of Depositions</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – Plaintiffs' Counsel's Letter to Judge Gwin# <u>2</u> Exhibit 1 a – Barrett 2002 Letter to Cleveland Counsel# <u>3</u> Exhibit 2 – Letter to Plaintiffs' Counsel from Barrett Atty Thomas Barnard – 2002# <u>4</u> Exhibit 3 – Jordan EEOC Probable Cause# <u>5</u> Exhibit 4 – Attorney Gibbons' Letter re: Content Expert# <u>6</u> Exhibit Gibbonas E-Mail re: Depositions# <u>7</u> Exhibit 6 – Gibbons Letter Seeking 29 Depositions in two weeks# <u>8</u> Exhibit 7 – Attorney Gibbons' Letter Noticing 16 Depositions# <u>9</u> Exhibit 8 – Attorney Gibbons' Letter re: Service of Examination – Related Documents# <u>10</u> Exhibit 9 – Affidavit of Lisa Meese, Former Civil Service# <u>11</u> Exhibit 10 – Deposition Excerpt of Lisa Meese# <u>12</u> Exhibit 11 – Jordan Case Management Order Denying Initial Disclosures# <u>13</u> Exhibit 12 – Attorney Gibbons' Letter re: "Supplemental" Interrogatory Identifications# <u>14</u> Exhibit 13 – Plaintiffs' Discovery Requests Directed to Cleveland, August 2002# <u>15</u> Exhibit 14 – Defendant Cleveland's Responses to Plaintiffs' Discovery Requests – March 2003)(Bishop, Christy) (Entered: 06/27/2005)
06/29/2005	<u>209</u>	Motion for extension of time to Reply to Defendants' Opposition to Motion to Exclude Experts until 8/1/2005 filed by all plaintiffs. Related document(s) <u>176</u> , <u>190</u> , <u>164</u> , <u>202</u> . (Bishop, Christy) Modified text on 7/1/2005 (L, T). (Entered: 06/29/2005)
07/01/2005	<u>210</u>	Notice of discovery dispute filed by City of Cleveland via letter to Judge James S. Gwin dated 6/8/05. (M, G) (Entered: 07/01/2005)
07/01/2005	<u>211</u>	Order signed by Judge James S. Gwin on 7/1/05 referring discovery dispute to Magistrate Judge Hemann. (Related Doc. <u>210</u>) (M, G) (Entered: 07/01/2005)
07/01/2005	<u>212</u>	Minutes of status conference before Judge James S. Gwin on 7/1/05. (Court Reporter: none.) (M, G) (Entered: 07/05/2005)
07/05/2005	<u>213</u>	Case Management Conference Plan/Order signed by Judge James S. Gwin on 7/5/05. Case assigned to the Standard Track. Preliminary discovery due by 8/10/05. Parties to be joined and pleadings amended by 7/1/05. Dispositive motions to be filed by 8/17/05 with responses due by 8/31/05 and relies due by 9/7/05. Status conference set for 9/1/05 at 8:00 a.m., in Conference Room 588 (Akron). Final pretrial conference set for 10/13/05 at 12:00 noon in Chambers 21B (Cleveland). Jury trial set on a two-week standby basis beginning 10/24/05 at 8:00 a.m., in Courtroom 19A (Cleveland). (M, G) (Entered: 07/05/2005)
07/12/2005	<u>214</u>	Notice of Hearing. Discovery Hearing set for 7/25/2005 09:30 AM in Chambers 11B before Magistrate Judge Patricia A. Hemann. (W, Gloria) (Entered: 07/12/2005)

07/14/2005	<u>215</u>	Supplement to <i>Plaintiffs' Points and Authorities Relating to the Hold on the 2002 Promotional Examination</i> filed by all plaintiffs. Related document(s) <u>71</u> . (Attachments: # <u>1</u> Exhibit 1 – Memo to Lackey (Wilson), 5-23-02# <u>2</u> Exhibit 2 – Letter, Krupka to Barrett# <u>3</u> Exhibit 3 – Letter, Barrett to Krupka, undated# <u>4</u> Exhibit 4 – Memo to Lackey (Wilson), 6-18-02# <u>5</u> Exhibit 5 – Gridded 2002 answer sheet, Jamie Jazz# <u>6</u> Exhibit 6 – Memo, Straffan to Civil Service# <u>7</u> Exhibit 7 – Contract, 1996 fire promotional examination# <u>8</u> Exhibit 8 – Contract, 2000 fire promotional examination)(Thompson, Dennis) Modified attachment on 7/15/2005 (P, G). (Entered: 07/14/2005)
07/14/2005	<u>216</u>	Deposition of Kenneth Guyton taken on May 25, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) Modified date on 7/15/2005 (P, G). (Entered: 07/14/2005)
07/14/2005	<u>217</u>	Deposition of Emmett Jordan taken on June 8, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>218</u>	Deposition of Lisa Meece taken on April 20, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>219</u>	Deposition of Jonalyn Krupka taken on May 17, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>220</u>	Deposition of Carita (Lackey) Wilson taken on April 20, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>221</u>	Deposition of Mark Straffan taken on May 18, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>222</u>	Deposition of Anthony Luke filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>223</u>	Deposition of James Hogan taken on April 29, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/14/2005	<u>224</u>	Deposition of Gerald Barrett taken on June 20, 2005. filed by all plaintiffs. Related document(s) <u>215</u> . (Thompson, Dennis) (Entered: 07/14/2005)
07/16/2005	<u>225</u>	Marginal Order signed by Judge James S. Gwin on 7/16/05 granting plaintiffs' motion to withdraw their motion to dismiss Defendant Barrett and Associates, Inc., et al. (Related Doc. <u>205</u> , <u>158</u>) (M, G) (Entered: 07/16/2005)
07/20/2005	<u>226</u>	Motion to continue <i>sanctions hearing until August 2, 2005</i> filed by all plaintiffs. Related document(s) <u>207</u> , <u>209</u> , <u>210</u> , <u>214</u> . (Bishop, Christy) (Entered: 07/20/2005)
07/20/2005	<u>227</u>	Motion for <i>Order referring to Magistrate Judge Hemann Plaintiffs' motion to strike/exclude defendants' experts as Rule 37 sanction</i> filed by all plaintiffs. Related document(s) <u>176</u> , <u>207</u> , <u>177</u> , <u>190</u> , <u>164</u> , <u>210</u> , <u>211</u> , <u>226</u> , <u>202</u> , <u>214</u> . (Bishop, Christy) (Entered: 07/20/2005)
07/21/2005		Order (non-document) overruling plaintiffs' Motion to continue sanctions hearing until 8/2/2005. Hearing scheduled for 7/25/2005 is a discovery hearing not a sanctions hearing. (Related Doc # <u>226</u>). Entered on behalf of Judge Patricia A. Hemann on 7/21/2005. (W, Gloria) Modified text on 7/26/2005 (P, S). (Entered: 07/21/2005)
07/25/2005	<u>228</u>	Minutes of proceedings. Discovery Hearing held on 7/25/2005 before Judge Patricia A. Hemann. Docket #155 resolved. Docket #115 held in abeyance pending resolution of pending motion for summary judgment. (Court Reporter Julie Knabe.) (Related doc <u>115</u> , <u>155</u>) (W, Gloria) Modified text of docket entry on 7/29/2005 (B, B). (Entered: 07/25/2005)
07/26/2005	<u>229</u>	Response to <i>Plaintiffs' Supplemental Brief in Opposition to the release of the 2002 promotional examinations</i> filed by City of Cleveland and non-party Paul Stubbs. Related document(s) <u>60</u> , <u>71</u> , <u>215</u> . (Attachments: # <u>1</u> Exhibit A: Temporary Promotion Cost Analysis) (Gibbons, Kevin) Modified text of docket entry on 8/1/2005 (B, B). (Entered: 07/26/2005)

07/26/2005	<u>230</u>	Notice of Service of <i>Expert Report on 7/26/2005</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) Modified text of docket entry on 8/1/2005 (B, B). (Entered: 07/26/2005)
07/26/2005	<u>231</u>	Amended Initial Disclosures filed by all plaintiffs. (Thompson, Dennis) (Entered: 07/26/2005)
07/26/2005	<u>232</u>	Designation of Expert Witnesses <i>Dr. Robert Johnson and Dr. Michael Zickar</i> filed by all plaintiffs. (Thompson, Dennis) Modified text of docket entry on 8/1/2005 (B, B). (Entered: 07/26/2005)
07/28/2005	<u>233</u>	Order signed by Judge James S. Gwin on 7/28/05. The Court has subject matter jurisdiction to hear plaintiffs' destruction of public records claim under Ohio law. Plaintiffs' suggestion of lack of subject matter is rejected and defendants' motion to strike is denied as moot. (Related Doc. <u>94</u> , <u>90</u>) (M, G) (Entered: 07/28/2005)
08/01/2005	<u>234</u>	Supplement to <i>opposition to lifting the hold on 2002 fire promotional examination</i> filed by all plaintiffs. Related document(s) <u>71</u> , <u>215</u> . (Attachments: # <u>1</u> Exhibit A, Report of Dr. Michael Zickar)(Thompson, Dennis) Modified text of docket entry on 8/9/2005 (B, B). (Entered: 08/01/2005)
08/10/2005	<u>235</u>	Motion to dismiss party <i>plaintiff Emmanuel Williams</i> filed by all plaintiffs. (Bishop, Christy) (Entered: 08/10/2005)
08/17/2005	<u>236</u>	Motion for summary judgment filed by City of Cleveland, Kevin Gerity. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Exhibit A: 1996 Eligibility List# <u>3</u> Exhibit B: 2000 Eligibility List# <u>4</u> Exhibit C: Deposition of Granville White# <u>5</u> Exhibit D: Deposition of David Butler# <u>6</u> Exhibit E: Deposition of Keith Acey# <u>7</u> Exhibit F-1: Deposition of Michael Odum Part I# <u>8</u> Exhibit F-2: Deposition of Michael Odum Part II# <u>9</u> Exhibit G: Deposition of Keith Echols# <u>10</u> Exhibit H: Graves v. Van Buskirk# <u>11</u> Exhibit I: Watson Affidavit# <u>12</u> Exhibit J: City EEO Policy# <u>13</u> Exhibit K: Deposition of Daryl McGinnis# <u>14</u> Exhibit L: Excerpt of Barrett Report Jul. 26, 2005# <u>15</u> Exhibit M: Henderson Report Feb. 9, 2005# <u>16</u> Exhibit N: Henderson Report Feb. 14, 2005# <u>17</u> Exhibit O: Cavanagh v. City of Cleveland# <u>18</u> Exhibit P: Discipline Grid# <u>19</u> Exhibit Q: Deposition of Greg Wilson# <u>20</u> Exhibit R-1: Acey Docket# <u>21</u> Exhibit R-2: Acey Petition# <u>22</u> Exhibit S-1: Alford Docket (2000)# Unredacted Exhibit S-2: Alford Petition (2000)# <u>24</u> Exhibit T-1: Alford Docket (2005)# <u>25</u> Exhibit T-2: Alford Petition (2005)# <u>26</u> Exhibit U-1: Echols Docket# <u>27</u> Exhibit U-2: Echols Petition# <u>28</u> Exhibit V: Hodges Docket# <u>29</u> Exhibit W-1: Johnson Docket# <u>30</u> Exhibit W-2: Johnson Petition# <u>31</u> Exhibit X-1: Moore Docket# Unredacted Exhibit X-2: Moore Petition# <u>33</u> Exhibit Y-1: Nickerson Docket# Unredacted Exhibit Y-2: Nickerson Petition# <u>35</u> Exhibit Z-1: Pennyman Docket# Unredacted Exhibit Z-2: Pennyman Petition# <u>37</u> Exhibit AA-1: Watson Docket# Unredacted Exhibit AA-2: Watson Petition# <u>39</u> Exhibit BB-1: White Docket# Unredacted Exhibit BB-2: White Petition)(Marquit Renwald, Amy) Modified text of docket entry on 8/24/2005 (B, B). (Entered: 08/17/2005)
08/17/2005	<u>237</u>	FILING ERROR, exhibit uploaded instead of motion, entire document to be refiled. Motion for leave <i>to file, instantner, supplement to summary judgment</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A - Interrogatory Responses Manually Filed# <u>2</u> Exhibit B - Wilson Dep# <u>3</u> Exhibit C - Krupka Dep# <u>4</u> Exhibit D - Meece Dep# <u>5</u> Exhibit E - Barrett Declaration# <u>6</u> Exhibit E-1 (pt. 1) - 1996 Agreement# <u>7</u> Exhibit E-1 (pt. 2) - 1996 Agreement# <u>8</u> Exhibit E-2 - 2000 Agreement# <u>9</u> Exhibit E-3 - 2002 Agreement# <u>10</u> Exhibit E-4 (pt. 1) - 2002 Study Guide# <u>11</u> Exhibit E-4 (pt. 2) - 2002 Study Guide# <u>12</u> Exhibit F - Barrett Dep# <u>13</u> Exhibit G - White Dep# <u>14</u> Exhibit H - McGinnis Dep# <u>15</u> Exhibit I - Guyton Dep# <u>16</u> Exhibit J - Jordan Dep# <u>17</u> Exhibit K - Odum Dep# <u>18</u> Exhibit L - Luke Dep# <u>19</u> Exhibit M - Echols Dep# <u>20</u> Exhibit N - Sheffield case# <u>21</u> Exhibit O - Asp case# <u>22</u> Exhibit P-1 - Buenrostro Case (Pt. 1)# <u>23</u> Exhibit P-2 - Buenrostro case (Pt. 2)# <u>24</u> Exhibit Q - Askew Dep# <u>25</u> Exhibit R - Docket Case No 00-1444# <u>26</u> Exhibit S - Johnson Dep)(Arendt, Michelle) Modified text/termed motion 8/18/2005 (C, K A). (Entered: 08/17/2005)
08/18/2005	<u>238</u>	Motion for leave <i>to file, instantner, supplement to motion for summary judgment</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Supplement

		to Summary Judgment# <u>2</u> Exhibit A – Interrogatory Responses Manually Filed# <u>3</u> Exhibit B – Wilson Dep# <u>4</u> Exhibit C – Krupka Dep# <u>5</u> Exhibit D – Meece Dep# <u>6</u> Exhibit E – Barrett Declaration# <u>7</u> Exhibit E-1 (pt. 1) – 1996 Agreement# <u>8</u> Exhibit E-1 (pt.2) – 1996 Agreement# <u>9</u> Exhibit E-2 – 2000 Agreement# <u>10</u> Exhibit E-3 – 2002 Agreement# <u>11</u> Exhibit E-4 (pt. 1) – 2002 Study Guide# <u>12</u> Exhibit E-4 (pt. 2) – 2002 Study Guide# <u>13</u> Exhibit F – Barrett Dep# <u>14</u> Exhibit G– White Dep# <u>15</u> Exhibit H – McGinnis Dep# <u>16</u> Exhibit I – Guyton Dep# <u>17</u> Exhibit J – Jordan Dep# <u>18</u> Exhibit K – Odum Dep# <u>19</u> Exhibit L – Luke Dep# <u>20</u> Exhibit M – Echols Dep# <u>21</u> Exhibit N – Sheffield case# <u>22</u> Exhibit O – Asp case# <u>23</u> Exhibit P (Pt.1) – Buenrostro case# <u>24</u> Exhibit P (Pt.2) – Buenrostro case# <u>25</u> Exhibit Q – Askew Dep# <u>26</u> Exhibit R – Docket Case 00-1444# <u>27</u> Exhibit S – Johnson Dep)(Arendt, Michelle) (Entered: 08/18/2005)
08/18/2005	<u>239</u>	Motion for leave to file <i>brief in excess of page limitation</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>238</u> . (Arendt, Michelle) (Entered: 08/18/2005)
08/18/2005	<u>240</u>	Motion for leave to file <i>summary judgment instanter</i> filed by all plaintiffs. (Attachments: # <u>1</u> Summary Judgment Motion Against Barrett & Associates# <u>2</u> Motion for Summary Judgment Against City of Cleveland)(Thompson, Dennis) Modified text of docket entry on 8/25/2005 (B, B). (Entered: 08/18/2005)
08/18/2005	<u>241</u>	Notice of manual filing of exhibit to motion for leave to file, instanter, supplement to motion for summary judgment filed by Barrett & Associates, Inc. and Gerald Barrett. (B, B) (Entered: 08/19/2005)
08/18/2005	<u>242</u>	Exhibit A to motion for leave to file instanter, supplement to motion for summary judgment filed by Barrett & Associates, Inc. and Gerald Barrett. Related document(s) <u>238</u> , <u>241</u> . (Complete 182 page document is on file in the Clerk's Office)(B, B) (Entered: 08/19/2005)
08/22/2005	<u>243</u>	Order signed by Judge James S. Gwin on 8/22/05 granting in part and denying in part the motion for summary judgment of Defendants Barrett. (Related Doc. <u>60</u> , <u>61</u> , <u>82</u> , <u>89</u>) (M, G) (Entered: 08/22/2005)
08/22/2005	<u>244</u>	Order signed by Judge James S. Gwin on 8/22/05 denying the motion of Association of Cleveland Firefighters, Local 93 IAFF to permit counsel to attend depositions. Additionally, plaintiffs' request for fees is denied. (Related Doc. # <u>146</u> , <u>153</u>) (M, G) (Entered: 08/22/2005)
08/22/2005	<u>245</u>	Order signed by Judge James S. Gwin on 8/22/05 denying the motion of Defendants Barrett for separate trials and denying as moot the motion of plaintiffs for an extension of time to respond to the motion for separate trials. (Related Docs. <u>138</u> , <u>148</u>) (M, G) (Entered: 08/22/2005)
08/22/2005	<u>246</u>	Motion to strike <i>Plaintiffs' motions for summary judgment</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>240</u> , <u>213</u> . (Attachments: # <u>1</u> Exhibit A: Jordan appeal revised briefing schedule)(Marquit Renwald, Amy) (Entered: 08/22/2005)
08/24/2005	<u>247</u>	Motion for leave to file <i>dispositive briefs in excess of page limitation by six pages</i> filed by all plaintiffs. Related document(s) <u>246</u> , <u>240</u> . (Bishop, Christy) (Entered: 08/24/2005)
08/24/2005	<u>248</u>	Opposition to Motion to strike <i>Plaintiffs' motions for summary judgment</i> , Motion for leave to file <i>summary judgment instanter</i> and response to opposition to motion to file instanter, mischaracterized by Defendant as "motion to strike" filed by all plaintiffs. Related document(s) <u>246</u> , <u>240</u> . (Bishop, Christy) (Entered: 08/24/2005)
08/25/2005	<u>249</u>	Notice that the status conference set for 9/1/05 at 8:00 a.m., before Judge James S. Gwin has been relocated to Chambers 21B (Cleveland). (Related Doc. <u>213</u>) (M, G) (Entered: 08/25/2005)
08/25/2005	<u>250</u>	Order signed by Judge James S. Gwin on 8/25/05 denying plaintiffs' motion to strike expert reports/exclude experts and denying as moot plaintiffs' motion to refer the motion to strike/exclude to Magistrate Judge Hemann. (Related Docs. <u>164</u> , <u>169</u> , <u>170</u> , <u>176</u> , <u>202</u> , <u>227</u>) (M, G) Modified text 8/31/2005 (M, P).

		(Entered: 08/25/2005)
08/27/2005	<u>251</u>	Second Initial Disclosures <i>Supplement</i> filed by all plaintiffs. Related document(s) <u>231</u> . (Thompson, Dennis) (Entered: 08/27/2005)
08/28/2005	<u>252</u>	Motion to quash <i>second subpoena of Plaintiffs' Content Expert</i> filed by all plaintiffs. (Bishop, Christy) (Entered: 08/28/2005)
08/28/2005	<u>253</u>	Opposition to Motion for leave <i>to file, instanter, supplement to motion for summary judgment</i> filed by all plaintiffs. Related document(s) <u>238</u> . (Bishop, Christy) (Entered: 08/28/2005)
08/28/2005	<u>254</u>	Opposition to Motion to quash <i>second subpoena of Plaintiffs' Content Expert</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>252</u> . (Attachments: # <u>1</u> Exhibit A – Zickar Dep pages)(Arendt, Michelle) (Entered: 08/28/2005)
08/29/2005	<u>255</u>	Subpoena Returned Executed; served upon <i>Dr. Michael Zickar</i> by personal service (<i>Kenneth Rower, process server</i>) on August 25, 2005 filed by Barrett & Associates, Inc., Gerald Barrett Related document(s) <u>252</u> , <u>254</u> . (Arendt, Michelle) Modified text on 9/14/2005 (C, B). (Entered: 08/29/2005)
08/30/2005	<u>256</u>	Motion for extension of Summary Judgment Response until September 6, 2005 filed by all plaintiffs. (Thompson, Dennis) (Entered: 08/30/2005)
08/31/2005	<u>257</u>	Joint Motion for extension of time to respond to Plaintiffs' Summary Judgment until One Week from Granting of Plaintiffs' Motion for Leave and Filing of Plaintiffs' Exhibits filed by Barrett & Associates, Inc., Gerald Barrett, City of Cleveland. Related document(s) <u>240</u> . (Arendt, Michelle) Modified text on 9/27/2005 (H, D). (Entered: 08/31/2005)
09/01/2005	<u>258</u>	Opposition to Motion for extension of time to file Summary Judgment Opposition until September 6, 2005 filed by City of Cleveland. Related document(s) <u>256</u> . (Gibbons, Kevin) Modified text of docket entry on 9/22/2005 (B, B). (Entered: 09/01/2005)
09/01/2005	<u>259</u>	Order signed by Judge James S. Gwin on 9/1/05 denying plaintiffs' motion for leave to file a motion for summary judgment <i>instanter</i> ; granting, in part, plaintiffs' motion for an extension of time to file their summary judgment response (same due 9/5/05); denying as moot defendants' motion for an extension of time to respond to plaintiffs' motion for summary judgment. (Related Doc. <u>240</u> , <u>256</u> , <u>257</u>) (M, G) (Entered: 09/01/2005)
09/01/2005	<u>261</u>	Minutes of proceedings. Status conference held on 9/1/05 before Judge James S. Gwin. (Court Reporter: none) (M, G) (Entered: 09/02/2005)
09/02/2005	<u>260</u>	Motion for extension of Filing Reply to Plaintiffs Opposition to Dispositive Motion until September 12, 2005 filed by City of Cleveland. Related document(s) <u>236</u> , <u>259</u> , <u>213</u> . (Gibbons, Kevin) Modified text, to correct typo, on 9/15/2005 (C, B). (Entered: 09/02/2005)
09/05/2005	<u>262</u>	Opposition to Motion for summary judgment <i>of City of Cleveland and Kevin Gerrity</i> filed by all plaintiffs. Related document(s) <u>236</u> . (Attachments: # <u>1</u> Little v. US 6.Cir Unrep.# <u>2</u> Stone Trans. v. Volvo – 6 Cir Unrep.)(Bishop, Christy) (Entered: 09/05/2005)
09/05/2005	<u>263</u>	Deposition of Acey, Keith taken on 7–28–05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>264</u>	Deposition of Alford, Anthony taken on 7–28–05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>265</u>	Deposition of Askew, Ron taken on 8–4–05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>266</u>	Deposition of Austin, David taken on 7–29–05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)

09/05/2005	<u>267</u>	Deposition of Boyd, John taken on 7-27-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>268</u>	Deposition of Buffington, Rudy taken on 7-26-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>269</u>	Deposition of Butler, David taken on 5-4-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>270</u>	Deposition of Carwright, James taken on 7-26-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified to change deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>271</u>	Deposition of Echols, Kevin taken on 9/29/05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>272</u>	Deposition of White, Granville taken on 4-12-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>273</u>	Deposition of Guyton, Ken Vol. I taken on 5-25-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>274</u>	Deposition of Guyton, Ken, Vol. II taken on 6-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>275</u>	Deposition of Hasan,Kariem taken on 8-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>276</u>	Deposition of Hodges, Sean taken on 8-2-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>277</u>	Deposition of Hogan, James taken on 4-29-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>278</u>	Deposition of Jackson, Anthony taken on 8-4-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>279</u>	Deposition of Johnson, Damon taken on 8-2-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>280</u>	Deposition of Jordan, Emmett taken on 6-8-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>281</u>	Deposition of McGinnis, Daryl, Vol. I taken on 12-22-04. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>282</u>	Deposition of McGinnis, Daryl, Vol. II taken on 5-6-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>283</u>	Deposition of McMickle, Fred taken on 7-26-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>284</u>	Deposition of Moore. Lawrence taken on 8-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>285</u>	Deposition of Newsome, Asa taken on 8-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>286</u>	Deposition of Nickerson, Anthony taken on 7-26-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>287</u>	Deposition of Lee, Neville taken on 7-29-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>288</u>	Deposition of Nickerson, Richard taken on 8-4-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)

09/05/2005	<u>289</u>	Deposition of Luke, Tony, Vol. I taken on 4-15-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>290</u>	Deposition of Luke, Tony, Vol. II taken on 6-8-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>291</u>	Deposition of Odum, Michael, Vol. I taken on 5-24-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>292</u>	Deposition of Odum, Michael, Vol. II taken on 6-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>293</u>	Deposition of Payne, Alonzo taken on 7-25-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>294</u>	Deposition of Pennyman, Herb taken on 8-5-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>295</u>	Deposition of Russell, Benard taken on 8-2-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>296</u>	Deposition of Straffan, Mark taken on 5-18-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>297</u>	Deposition of Szabo, Frank taken on 12-29-04. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>298</u>	Deposition of Stubbs, Paul taken on 5-23-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>299</u>	Deposition of Watson, Terence, Vol. I taken on 7-27-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>300</u>	Deposition of Watson, Terence taken on 8-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified, to correct typo, on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>301</u>	Deposition of Tyus, Daphne taken on 8-2-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>302</u>	Deposition of Williams, Bruce, Vol. I taken on 7-25-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>303</u>	Deposition of Williams, Bruce, Vol. II taken on 8-9-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>304</u>	Deposition of Williams, Daryl taken on 7-27-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>305</u>	Deposition of Woodard, Dale taken on 8-5-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>306</u>	Deposition of Barrett, Gerald taken on 6-20-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>307</u>	Deposition of Chicatelli, Steve taken on 8-29-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>308</u>	Deposition of Polomsky, Michael taken on 8-10-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified deposition date on 10/4/2005 (C, B). (Entered: 09/05/2005)
09/05/2005	<u>309</u>	Deposition of Wilson, Carita taken on 4-20-05. filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>310</u>	Exhibit(s) <i>Jordan v. City of Cleveland Trial Transcript – Akram, McMickle & Askew</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) Modified text on 10/4/2005 (C, B). (Entered: 09/05/2005)

09/05/2005	<u>311</u>	Exhibit(s) <i>Jordan v. City of Cleveland Trial Transcript, Stubbs, Heil & McGinnis</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>312</u>	Exhibit(s) <i>Jordan v. City of Cleveland Trial Transcript – Odum & Jordan</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>313</u>	Exhibit(s) <i>Jordan v. City of Cleveland Trial Transcript – Jordan</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>314</u>	Affidavit/Declaration of <i>Tim Polomsky</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>315</u>	Affidavit/Declaration of <i>Michael Zickar, Ph.D., with report and proposed settlement</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Attachments: # <u>1</u> Exhibit Report# <u>2</u> Exhibit Settlement Proposal)(Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>316</u>	Affidavit/Declaration of <i>Captain Michael Odum</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>317</u>	Affidavit/Declaration <i>Robert Johnson, Ph.D. with attachments</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Attachments: # <u>1</u> Exhibit Output File for testing for sample size impact on reliability# <u>2</u> Exhibit 1996 Test Item Analysis# <u>3</u> Exhibit 2000 Test Item Analysis# <u>4</u> Exhibit Johnson Report, 4-14-05)(Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>318</u>	Exhibit(s) <i>Jordan v. City of Cleveland trial transcript – Akram</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>319</u>	Exhibit(s) <i>Trial transcript, Jordan v. City of Cleveland – Gerrity</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>320</u>	Appendix filed by all plaintiffs. Related document(s) <u>262</u> . (Attachments: # <u>1</u> Exhibit 1 – Anonymous Letter to Lackey (nka Wilson), 5-23-02# <u>2</u> Exhibit 2 – Letter, Krupka to Barrett, 6-5-02# <u>3</u> Exhibit 3 – Letter, Barrett to Krupka, undated# <u>4</u> Exhibit 4 – Letter to Lackey (nka Wilson), 6-18-02# <u>5</u> Exhibit 5 – Letter of Notice, Odum to Gerrity, 8-1-99# <u>6</u> Exhibit 6 – Cleveland Roundtable report, May 2001# <u>7</u> Exhibit 7 – Emmett Jordan Eeoc Charge of Discrimination# <u>8</u> Exhibit 8 – EEOC Probable Cause determination, Emmett Jordan# <u>9</u> Exhibit 9 – Emerald Dispatch# <u>10</u> Exhibit 10 – Letter, Barrett to Wilson re cost cutting, 10-15-01# <u>11</u> Exhibit 11 – Formal Discipline Report, 1997-2000# <u>12</u> Exhibit 14 – Picture, Wall of Hate – Cooz Club Dues# <u>13</u> Exhibit 15 – Picture, Wall of Hate# <u>14</u> Exhibit 16 – Picrture, Wall of Hate# <u>15</u> Exhibit 17 – Picture, Wall of Hate, Fat Bastard# <u>16</u> Exhibit 18 – Affirmative Action obscene poster# <u>17</u> Exhibit 19 – Barrett & Associates website# <u>18</u> Exhibit 20 – Jordan v. City of Cleveland verdicts# <u>19</u> Exhibit 21A – 1996 Keyed Lt. Exam# <u>20</u> Exhibit 21B – Keyed Cap. Exam, 1996# <u>21</u> Exhibit 22 – Keyed Cap. Exam, 2000# <u>22</u> Exhibit 23 – Letter, Emmett Jordan to Campbell, 4-10-02# <u>23</u> Exhibit 28 – Agreement fpr 2002 promotional exam# <u>24</u> Exhibit 31 – RFP for 1996 promotional exam# <u>25</u> Exhibit 32 – RFP 2000 promotional exam# <u>26</u> Exhibit 33 – RFP 2002 promotional exam# <u>27</u> Exhibit 35A – 1996 Lt. Rankings# <u>28</u> Exhibit 35B – 1996 Cap. Rankings# <u>29</u> Exhibit 35C – 1996 BC Rankings# <u>30</u> Exhibit 35D – 1996 AC Rankings# <u>31</u> Exhibit 35E – 2000 Lt. Rankings# <u>32</u> Exhibit 35F – 2000 Cap. Rankings# <u>33</u> Exhibit 35G – 2000 BC Rankings# <u>34</u> Exhibit 35H – 2000 AC Rankings# <u>35</u> Exhibit 36 – City of Cleveland Charter Provisions# <u>36</u> Exhibit 38 – Plaintiffs' Letter Mag. Judge Hemann# <u>37</u> Exhibit 39 – Letter, Gibbons to DT re Study Guides, 6-9-05# <u>38</u> Exhibit 40 – Letter, Gibbons to DT re: answer sheetss & payroll records, 6-14-05# <u>39</u> Exhibit 41 – Letter, Gibbons to DT re: promotion hearings and score reports, 6-23-05# <u>40</u> Exhibit 42 – Letter, Gibbons to DT re: Odum & Stubbs docs, 6-24-05# <u>41</u> Exhibit 43 – Letter, Gibbons to DT re: CFD HQ communications, 6-28-05# <u>42</u> Exhibit 44 – Letter, Gibbons to DT re: More reports, communications, 8-10-05# <u>43</u> Exhibit 58 – Letter, Straffan to Civil Service# <u>44</u> Exhibit 59 – Barrett expert fee schedule# <u>45</u> Exhibit 54 – Jordan v. City of Cleveland, Appellee Brief)(Thompson, Dennis) (Entered: 09/05/2005)

09/05/2005	<u>321</u>	Affidavit/Declaration of <i>Emmett Jordan</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/05/2005	<u>322</u>	Affidavit/Declaration of <i>Gerald Barrett</i> filed by all plaintiffs. Related document(s) <u>262</u> . (Thompson, Dennis) (Entered: 09/05/2005)
09/06/2005	<u>323</u>	Reply to response to Motion for leave <i>to file, instantner, supplement to motion for summary judgment</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>238</u> . (Attachments: # <u>1</u> Garrett v. Firestone decision)(Arendt, Michelle) (Entered: 09/06/2005)
09/06/2005	<u>324</u>	Objection to <i>Untimely Evidentiary Filings</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>259</u> , <u>262</u> . (Attachments: # <u>1</u> Exhibit Bishop Fax 9-6-05) (Marquit Renwald, Amy) (Entered: 09/06/2005)
09/07/2005	<u>325</u>	Exhibit(s) filed by all plaintiffs. Related document(s) <u>320</u> . (Attachments: # <u>1</u> Exhibit 12 Captain Acting Time Summary# <u>2</u> Exhibit 25 – Deposition Extracts – Monkey Island, racial epithets & welfare officers# <u>3</u> Exhibit 26 Deposition extracts, Coos Club & drinking on the job# <u>4</u> Exhibit 27 – Deposition extracts – Supper Club, Supplies & Climitization# <u>5</u> Exhibit 34 – Barrett Vita# <u>6</u> Exhibit 37 – Letter to Judge Gwin# <u>7</u> Exhibit 46 – Barrett's Responses to Interrogatories# <u>8</u> Exhibit 48 – Deposition extracts, 36's House, Wall of Hate# <u>9</u> Exhibit 49 – Drinking on the job, Discipline# <u>10</u> Exhibit 50 – Hostile work environment & discrim, generally# <u>11</u> Exhibit 51 – Deposition extracts, inimidation & usurping authority# <u>12</u> Exhibit 51 – Deposition extracts – overtime & acting time)(Thompson, Dennis) (Entered: 09/07/2005)
09/07/2005	<u>326</u>	Marginal Order signed by Judge James S. Gwin on 9/7/05 granting motion for extension of time to file replies to summary judgment. Replies shall be filed by 9/12/05. (Related Doc. <u>260</u>) (M, G) (Entered: 09/07/2005)
09/08/2005	<u>327</u>	Supplement to <i>Objection to Plaintiffs' Untimely Filings</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>259</u> , <u>324</u> , <u>325</u> , <u>326</u> . (Marquit Renwald, Amy) (Entered: 09/08/2005)
09/12/2005	<u>328</u>	Motion to withdraw document (<i>deposition extracts</i>), <i>exhibits</i> 25, 26, 27, 48, 49, 50, 51, 52 filed by all plaintiffs. Related document(s) <u>320</u> , <u>325</u> . (Thompson, Dennis) (Entered: 09/12/2005)
09/12/2005	<u>329</u>	Opposition to Motion for sanctions by <i>Barrett Defendants</i> filed by all plaintiffs. Related document(s) <u>115</u> . (Attachments: # <u>1</u> Exhibit 1 – Letter to Judge Gwin# <u>2</u> Exhibit 2 – Letter to Magistrate Judge Hemann# <u>3</u> Exhibit Plaintiffs' Opposition to Cleveland's Motion for Summary Judgment)(Bishop, Christy) (Entered: 09/12/2005)
09/12/2005	<u>330</u>	Motion for leave <i>to file word indexes for all depositions</i> filed by all plaintiffs. Related document(s) <u>262</u> , <u>263</u> , <u>264</u> , <u>265</u> , <u>266</u> , <u>267</u> , <u>268</u> , <u>269</u> , <u>270</u> , <u>294</u> , <u>295</u> , <u>271</u> , <u>296</u> , <u>272</u> , <u>273</u> , <u>298</u> , <u>274</u> , <u>299</u> , <u>275</u> , <u>300</u> , <u>276</u> , <u>277</u> , <u>301</u> , <u>302</u> , <u>278</u> , <u>303</u> , <u>279</u> , <u>280</u> , <u>304</u> , <u>305</u> , <u>281</u> , <u>306</u> , <u>282</u> , <u>283</u> , <u>308</u> , <u>284</u> , <u>309</u> , <u>285</u> , <u>286</u> , <u>287</u> , <u>288</u> , <u>289</u> , <u>290</u> , <u>291</u> , <u>292</u> , <u>293</u> . (Attachments: # <u>1</u> Supplement Word Index, Dep. of Keith Acey, 7-28-05# <u>2</u> Supplement word Index, Dep. of Keith Acey, 8-10-05# <u>3</u> Supplement Word Index, Dep. of Alford, Anthony, 7-28-05# <u>4</u> Supplement Word Index, Dep. of Askew, Ron, 8-2-05# <u>5</u> Supplement Word Index, Dep. of Austin, David, 7-29-05# <u>6</u> Supplement Word Index, Dep. of Gerald Barrett, 6-20-05# <u>7</u> Supplement Word Index, dep. of Boyd, John, 7-27-05# <u>8</u> Supplement Word Index, Dep. of David Butler, 5-4-05# <u>9</u> Supplement Word Index, Dep. of Buffington, Rudy, 7-26-05# <u>10</u> Supplement Word Index, Dep. of Cartwright, James, 7-26-05# <u>11</u> Supplement word Index, Dep. of Steve Chicatelli, 8-29-05# <u>12</u> Supplement Word Index – Dep. of Echols, Kevin, 7-29-05# <u>13</u> Supplement Word Index, Dep. of Guyton, Ken Vol. I, 5-25-05# <u>14</u> Supplement word Index – Dep. of Guyton, Ken Vol. II, 6-9-05# <u>15</u> Supplement word Index – Dep. of Hasan, Kariem, 8-9-05# <u>16</u> Supplement word Index – Dep. of Hodges, Sean, 8-2-05# <u>17</u> Supplement Word Index – Dep. of Jackson, Anthony, 8-4-05# <u>18</u> Supplement word Index – Dep. of Jordan, Emmett, 6-8-05# <u>19</u> Supplement Word Index – Dep. of Krupka, Jonalyn, 5-17-05# <u>20</u> Supplement Word Index – Dep. of Lee, Neville, 7-29-05# <u>21</u> Supplement word Index, Dep. of Luke, Tony, 4-15-05# <u>22</u>

		Supplement Word Index – Dep. of Luke, Tony Vol. II, 6-8-05# <u>23</u> Supplement word Index – Dep. of McGinnis, Daryl Vol. I, 12-22-04# <u>24</u> Supplement Word Index – Dep. of McGinnis, Daryl, 6-5-05# <u>25</u> Supplement word Index – Dep. of McMickle, Fred, 7-26-05# <u>26</u> Supplement Word Index – Dep. of Moore, Lawrence, 8-9-05# <u>27</u> Supplement word Index – Dep. of Newsome, Asa, 8-9-05# <u>28</u> Supplement Word Index – Dep. of Nickerson, Anthony, 7-26-05# <u>29</u> Supplement Word Index – Dep. of Nickerson, Richard, 8-4-05, # <u>30</u> Supplement Word Index – Dep. of Odum, Michael, 5-25-05# <u>31</u> Supplement Word Index – Dep. of Odum, Michael, 6-9-05# <u>32</u> Supplement Word Index – Dep. of Payne, Alonzo, 7-25-05# <u>33</u> Supplement Word Index – dep. of Pennyman, Herbert, 8-5-05# <u>34</u> Supplement Word Index – Dep. of Polomsky, Michael, 8-10-05# <u>35</u> Supplement Word Index – Dep. of Russell, Benard, 8-2-05# <u>36</u> Supplement Word Index – Dep. of Straffan, Mark, 5-18-05# <u>37</u> Supplement Word Index – Dep. of Tyus, Daphne, 8-2-05# <u>38</u> Supplement word Index – Dep. of Watson, Terence Vol. I, 7-29-05# <u>39</u> Supplement Word Index – Dep. of Watson, Terence Vol. II, 6-9-05# <u>40</u> Supplement Word Index – Dep. of White, Granville# <u>41</u> Supplement Word Index – Dep. of Williams, Bruce Vol. I, 7-25-05# <u>42</u> Supplement Word Index – Dep. of Williams, Bruce Vol. II, 8-9-05# <u>43</u> Supplement Word Index – Dep. of Williams, Daryl, 7-27-05# <u>44</u> Supplement Word Index – Dep. of Williams, Carita, 5-17-05# <u>45</u> Supplement Word Index – Dep. of Woodard, Dale, 8-5-05# <u>46</u> Supplement Word Index – Dep. of Johnson, Damon, 8-2-05# <u>47</u> Supplement Word Index – Dep. of Stubbs, Paul, 5-23-05)(Thompson, Dennis) Modified text on 9/26/2005 (E, P). (Entered: 09/12/2005)
09/12/2005	<u>331</u>	Order signed by Judge James S. Gwin on 9/12/05 referring plaintiffs' motion to quash to Magistrate Judge Hemann. (Related Doc. <u>252</u>) (M, G) (Entered: 09/12/2005)
09/12/2005	<u>332</u>	Marginal Order signed by Judge James S. Gwin on 9/12/05 denying the parties' motions for extension of time as moot. (Related Doc. <u>175</u> , <u>185</u> , <u>186</u> , <u>188</u> , <u>189</u> , <u>192</u> , <u>193</u> , <u>194</u> , <u>195</u> , <u>196</u> , <u>198</u> and <u>209</u> (M, G) (Entered: 09/12/2005)
09/12/2005	<u>333</u>	Reply to response to Motion for summary judgment (<i>replying to R. 262</i>) filed by City of Cleveland, Kevin Gerity. Related document(s) <u>236</u> . (Attachments: # <u>1</u> Exhibit A-1: Henderson Signature Page# <u>2</u> Exhibit A-2: Henderson Rebuttal Report# <u>3</u> Exhibit B: Henderson Declaration# <u>4</u> Exhibit C: City Settlement Proposal# <u>5</u> Exhibit D: Luke Form-10# <u>6</u> Exhibit E: Deposition of Lisa Meece# <u>7</u> Exhibit F: Enz v. Enz)(Marquit Renwald, Amy) (Entered: 09/12/2005)
09/12/2005	<u>335</u>	Exhibits to opposition to motion for summary judgment filed by all plaintiffs. (FILED UNDER SEAL #3723) Related document(s) <u>262</u> . (P, S) (Entered: 09/13/2005)
09/13/2005	<u>334</u>	Marginal Order. Motion to quash granted in part and overruled in part. Deposition to be rescheduled to date convenient to plaintiff's counsel and limited to 2 hours 45 minutes (Related Doc # <u>252</u>). Signed by Judge Patricia A. Hemann on 9/13/2005.(W, Gloria) (Entered: 09/13/2005)
09/16/2005	<u>336</u>	Order signed by Judge James S. Gwin on 9/16/05 denying plaintiffs' motion for extension as to supplemental expert reports, granting plaintiffs' motion to dismiss individual plaintiffs (Marcus Turner and Emmanuel Williams) and denying as moot defendants' motion for a protective order. (Related Doc. <u>167</u> , <u>187</u> , <u>208</u> , <u>235</u>) (M, G) (Entered: 09/16/2005)
09/20/2005	<u>337</u>	Motion for leave to <i>file surrebuttal brief to Cleveland's Reply on Summary Judgment, Instanter</i> filed by all plaintiffs. Related document(s) <u>333</u> . (Attachments: # <u>1</u> Exhibit 1 – Surrebuttal Brief)(Bishop, Christy) (Entered: 09/20/2005)
09/21/2005	<u>338</u>	Motion to Strike, or in the alternative, Reply to response to Motion for sanctions filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>115</u> . (Attachments: # <u>1</u> Exhibit A – Sept. 23, 2002 Letter# <u>2</u> Exhibit B – Sept. 24, 2002 Letter# <u>3</u> Exhibit C – Document Responses# <u>4</u> Exhibit D – Barrett Declaration# <u>5</u> Ex E (Pt. 1) 1996 Agreement# <u>6</u> Exhibit E-2 1996 Agreement# <u>7</u> Exhibit F 2000 Agreement# <u>8</u> Exhibit G 2002 Agreement# <u>9</u> Exhibit H Sheffield case# <u>10</u> Exhibit I Chicatelli Declaration)(Arendt, Michelle) Modified text of

		docket entry on 9/28/2005 (B, B).\ (E-mail sent to attorney on 9/28/2005 re: more appropriate choice of event) (Entered: 09/21/2005)
09/23/2005	<u>339</u>	Report and Recommendation that Motion for sanctions filed by Barrett & Associates, Inc., Gerald Barrett be overruled. Signed by Judge Patricia A. Hemann on 9/23/2005. (Related doc <u>115</u>) (W, Gloria) Modified text of docket entry on 9/29/2005 (B, B). (Entered: 09/23/2005)
09/27/2005	<u>340</u>	Marginal Order signed by Judge James S. Gwin on 9/27/05 granting motion of plaintiffs to withdraw deposition extracts (exhibits 25, 26, 27, 48, 49, 50, 51, 52). (Related Doc. <u>328</u> , <u>325</u> , <u>320</u>) (M, G) (Entered: 09/27/2005)
09/27/2005	<u>341</u>	Marginal Order signed by Judge James S. Gwin on 9/27/05 granting plaintiffs' motion for leave to file word indexes for all depositions filed by plaintiffs. (Related Doc. <u>330</u>) (M, G) (Entered: 09/27/2005)
09/27/2005	<u>342</u>	Opposition to <i>Plaintiffs' Motion Instanter to File Surrebuttal to Summary Judgment</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>337</u> . (Marquit Renwald, Amy) Modified text of docket entry on 10/6/2005 (B, B). (E-mail sent to attorney on 10/6/2005 re: more appropriate choice of event) (Entered: 09/27/2005)
09/29/2005	<u>343</u>	Order signed by Judge James S. Gwin on 9/29/05 denying as moot the motion of Defendants City of Cleveland and Gerity to strike plaintiffs' motion for summary judgment, denying as moot plaintiffs' motion to file a dispositive motion in excess of the page limitation and denying plaintiffs' motion to file surrebuttal brief. (Related Doc. <u>246</u> , <u>247</u> , <u>337</u>) (M, G) (Entered: 09/29/2005)
09/29/2005	<u>344</u>	Opinion and Order signed by Judge James S. Gwin on 9/29/05 denying the motions of Defendants Barrett and Associates Inc., and Gerald Van Barrett for leave to file instanter supplement to motion for summary judgment and brief in excess of page limitation. (Related Doc. <u>238</u> , <u>239</u>) (M, G) Modified text of docket entry on 10/3/2005 (B, B). (Entered: 09/29/2005)
10/03/2005	<u>345</u>	Motion to continue <i>Final Pretrial Conference</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>213</u> . (Arendt, Michelle) (Entered: 10/03/2005)
10/04/2005	<u>346</u>	Marginal Order signed by Judge James S. Gwin on 10/4/05 granting motion of Defendants Barrett and Associates, Inc. and Gerald Barrett for a continuance of the final pretrial conference. The conference is reset for 10/14/05 at 1:30 p.m. (Related Doc. <u>345</u> , <u>213</u>) (M, G) Modified text of docket entry on 10/11/2005 (B, B). (Entered: 10/04/2005)
10/07/2005	<u>347</u>	Minutes of proceedings. Telephone conference held with counsel on 10/7/05 before Judge James S. Gwin. (Court Reporter: none) (M, G) Modified filing date on 10/11/2005 (M, G). (Entered: 10/11/2005)
10/11/2005	<u>348</u>	Proposed Stipulation and Order <i>re: Pretrial</i> filed by all parties. (Bishop, Christy) Modified text of docket entry on 10/31/2005 (B, B). (Entered: 10/11/2005)
10/11/2005	<u>349</u>	Witness List filed by all plaintiffs. Related document(s) <u>348</u> . (Bishop, Christy) Modified text of docket entry on 10/31/2005 (B, B). (E-mail sent to attorneys on 10/31/2005 re: signature) (Entered: 10/11/2005)
10/11/2005	<u>350</u>	Joint Stipulations filed by all parties. Related document(s) <u>348</u> . (Bishop, Christy) Modified text of docket entry on 10/31/2005 (B, B). (E-mail sent to attorneys on 10/31/2005 re: signature) (Entered: 10/11/2005)
10/11/2005	<u>351</u>	Unsigned Witness List filed by City of Cleveland. Related document(s) <u>348</u> . (Marquit Renwald, Amy) Modified text of docket entry on 10/31/2005 (B, B). (E-mail sent to attorney on 10/31/2005 re: signature) (Entered: 10/11/2005)
10/11/2005	<u>352</u>	Unsigned Witness List filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>348</u> . (Arendt, Michelle) Modified text of docket entry on 10/31/2005 (B, B). (E-mail sent to attorney on 10/31/2005 re: signature) (Entered: 10/11/2005)

10/12/2005	<u>353</u>	Opinion and Order signed by Judge James S. Gwin on 10/12/05 granting in part and denying in part the motion of Defendants City of Cleveland and Gerity for summary judgment. (Related Doc. <u>236</u> , <u>262</u>) (M, G) Modified text of docket entry on 11/1/2005 (B, B). (Entered: 10/12/2005)
10/12/2005	<u>354</u>	Opinion and Order signed by Judge James S. Gwin on 10/12/05 denying the motion for sanctions of Defendants Gerald Barrett and Barrett &Associates, Inc. (Related Docs. <u>115</u> , <u>329</u> , <u>338</u> , <u>339</u>) (M, G) Modified text of docket entry on 11/2/2005 (B, B). (Entered: 10/12/2005)
10/12/2005	<u>355</u>	Joint Motion to exclude <i>testimony of Dr. Michael Zickar</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A – United Black Firefighters' Assoc. v. City of Akron# <u>2</u> Exhibit B – Zickar Depositions I and II (Excerpts)# <u>3</u> Exhibit C – Barrett Deposition (Excerpt))(Marquit Renwald, Amy) Modified text of docket entry on 11/2/2005 (B, B). (Entered: 10/12/2005)
10/13/2005	<u>356</u>	Attorney Appearance by Barton A. Bixenstine filed by on behalf of Barrett &Associates, Inc., Gerald Barrett. (Bixenstine, Barton) (Entered: 10/13/2005)
10/14/2005	<u>357</u>	Motion to clarify <i>order as to identity of 21 Plaintiffs remaining in hostile work environment and disparate treatment claims</i> filed by all plaintiffs. Related document(s) <u>353</u> , <u>333</u> , <u>236</u> . (Bishop, Christy) (Entered: 10/14/2005)
10/14/2005	<u>358</u>	Motion for <i>Exclusion of Witnesses not Disclosed in Interrogatories or Initial Disclosures</i> filed by City of Cleveland. Related document(s) <u>349</u> . (Attachments: # <u>1</u> Exhibit A; Ames v. Van Dayne# <u>2</u> Exhibit B: Sexton v. Uniroyal Tire)(Gibbons, Kevin) (Entered: 10/14/2005)
10/14/2005	<u>359</u>	Opinion and Order signed by Judge James S. Gwin on 10/14/05 granting in part and denying in part plaintiffs' Motion to Clarify the Court's 10/12/05 Opinion and Order granting in part and denying in part the City of Cleveland's motion for summary judgment. (Related Doc # <u>357</u>) (L, T) (Entered: 10/14/2005)
10/14/2005	<u>367</u>	Minutes of final pretrial conference held on 10/14/05 before Judge James S. Gwin. (Court Reporter: none) (M, G) (Entered: 10/18/2005)
10/17/2005	<u>360</u>	Proposed Voir Dire filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/17/2005)
10/17/2005	<u>361</u>	Proposed Jury Instructions filed by Barrett &Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 10/17/2005)
10/17/2005	<u>362</u>	Proposed Voir Dire filed by Barrett &Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 10/17/2005)
10/17/2005	<u>363</u>	Proposed Jury Instructions filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/17/2005)
10/17/2005	<u>364</u>	Proposed Jury Interrogatories filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/17/2005)
10/17/2005	<u>365</u>	Proposed Jury Instructions filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) (Entered: 10/18/2005)
10/18/2005	<u>366</u>	Proposed Requested Jury Questions filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) Modified text on 10/27/2005 (E, P). (Entered: 10/18/2005)
10/18/2005	<u>368</u>	List of Trial Exhibits filed by City of Cleveland. (Attachments: # <u>1</u> Exhibit A: Defendant City Exhibit List)(Gibbons, Kevin) Modified text on 10/27/2005 (E, P). (Entered: 10/18/2005)
10/18/2005	<u>369</u>	Exhibit List filed by Barrett &Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 10/18/2005)
10/18/2005	<u>370</u>	Notice of Filing of Deposition Extracts &Interrogatory Responses Relating to Hostile Work Environment &Disparate Treatment Claims filed by all plaintiffs. (Attachments: # <u>1</u> # <u>2</u> Exhibit A. Nickerson Interrogatory Responses# <u>3</u> Exhibit Acey Interrogatory Responses# <u>4</u> Exhibit Alford Interrogatory Responses# <u>5</u> Exhibit Askew Interrogatory Responses# <u>6</u> Exhibit B. Williams Interrogatory

		Responses# <u>7</u> Exhibit Boyd Interrogatory Responses# <u>8</u> Exhibit Buffiington Interrogatory Responses# <u>9</u> Exhibit Butler Interrogatory Responses# <u>10</u> Exhibit Cartwright Interrogatory Responses# <u>11</u> Exhibit Austin Interrogatory Responses# <u>12</u> Exhibit D. Williams Interrogatory Responses# <u>13</u> Exhibit Echols Interrogatory Responses# <u>14</u> Exhibit Guyton Interrogatory Responses# <u>15</u> Exhibit Hasan Interrogatory Responses# <u>16</u> Exhibit Hodges Interrogatory Responses# <u>17</u> Exhibit Jackson Interrogatory Responses# <u>18</u> Exhibit Lee Interrogatory Responses# <u>19</u> Exhibit Luke Interrogatory Responses# <u>20</u> Exhibit McGinnis Interrogatory Responses# <u>21</u> Exhibit McMickle Interrogatory Responses# <u>22</u> Exhibit Moore Interrogatory Responses# <u>23</u> Exhibit Newsome Interrogatory Responses# <u>24</u> Exhibit Odum Interrogatory Responses# <u>25</u> Exhibit Payne Interrogatory Responses# <u>26</u> Exhibit Pennyman Interrogatory Responses# <u>27</u> Exhibit R. Nickerson Interrogatory Responses# <u>28</u> Exhibit Russel Interrogatory Responses# <u>29</u> Exhibit Tyus Interrogatory Responses# <u>30</u> Exhibit Watson Interrogatory Responses# <u>31</u> Exhibit White Interrogatory Responses# <u>32</u> Exhibit Woodard Interrogatory Responses) (Bishop, Christy) (Entered: 10/18/2005)
10/18/2005	<u>371</u>	Stipulated Final Pretrial Order approved by Judge James S. Gwin on 10/18/05. (Related Doc. <u>348</u>) (M, G) (Entered: 10/18/2005)
10/19/2005	<u>372</u>	Exhibit List filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/19/2005)
10/19/2005	<u>373</u>	Proposed Jury Interrogatories filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A – Jury Interrogatories# <u>2</u> Exhibit B – Verdict Forms)(Arendt, Michelle) (Entered: 10/19/2005)
10/19/2005	<u>374</u>	Response to <i>Defendant City of Cleveland's Motion to Exclude Witnesses</i> filed by all plaintiffs. Related document(s) <u>358</u> . (Thompson, Dennis) (Entered: 10/19/2005)
10/19/2005	<u>375</u>	Motion in limine to <i>preclude any presentation of evidence or witnesses by Defendants Barrett & Associates, Inc. and Gerald Barrett, and for attorneys fees</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1– Letter, Barrett to Monegan# <u>2</u> Exhibit 2 – Letter, Attorney Barnard to Thompson# <u>3</u> Exhibit 3 – Barrett Declaration, 10–2–05# <u>4</u> Exhibit 4 – Plaintiffs requests for Admissions)(Thompson, Dennis) (Entered: 10/19/2005)
10/20/2005	<u>376</u>	Order signed by Judge James S. Gwin on 10/20/05 setting forth the trial procedure and allocating 1700 minutes each for plaintiffs and defendants to present their respective cases. (M, G) (Entered: 10/20/2005)
10/20/2005	<u>377</u>	Amendment to Exhibit List filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A – Amended Exhibit List)(Arendt, Michelle) (Entered: 10/20/2005)
10/20/2005	<u>378</u>	Motion in limine to <i>preclude the City of Cleveland from introducing certain documents and witnesses</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1 – City's Answers to Plaintiffs' Ints# <u>2</u> Exhibit 2 – Barrett Declaration Docs Destroyed – 2002# <u>3</u> Exhibit 3 – E–mail on late depositions# <u>4</u> Exhibit 4 – Gibbons Leter More discovery# <u>5</u> Exhibit 5 – Gibbons' Letter Promo & Overtime# <u>6</u> Exhibit 6 Gibbons Notice of 29 deps in 2 weeks# <u>7</u> Exhibit 7 – Gibbons letter – More Discovery# <u>8</u> Exhibit 8 – Gibbons Letter Still more discovery (other earlier ones missing)# <u>9</u> Exhibit Gibbons Letter – More Discovery# <u>10</u> Affidavit 10 – Meese Affidavit)(Bishop, Christy) (Entered: 10/20/2005)
10/20/2005	<u>379</u>	Motion for <i>Bench Trial becasse Jury Trial is Unavailable for Disparate Impact Claim Under O.R.C. Chapter 4112</i> filed by City of Cleveland. (Hastings, Jr., L.) (Entered: 10/20/2005)
10/20/2005	<u>380</u>	Joint Motion in limine to <i>Exclude Evidence Regarding Alleged Alterations or Improper Scoring of 2000 Exam Answer Sheets</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A – Odum Dep pages# <u>2</u> Exhibit B– Askew Dep pages# <u>3</u> Exhibit C– Greg Wilson Dep pages)(Arendt, Michelle) (Entered: 10/20/2005)

10/20/2005	<u>381</u>	Joint Motion in limine <i>to exclude anonymous letter sent to the civil service commission</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A letter 1# <u>2</u> Exhibit A letter 2# <u>3</u> Exhibit B Odum Dep pages# <u>4</u> Exhibit C Barrett dep pages# <u>5</u> Exhibit D Sheffield)(Arendt, Michelle) (Entered: 10/20/2005)
10/21/2005	<u>382</u>	Response to Motion in limine <i>to preclude any presentation of evidence or witnesses by Defendants Barrett & Associates, Inc. and Gerald Barrett, and for attorneys fees</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>375</u> . (Attachments: # <u>1</u> Exhibit A – Aug. 27, 2002 Letter# <u>2</u> Exhibit B–1 March 11, 2003 Letter# <u>3</u> Exhibit B–2 Sign In Logs# <u>4</u> Exhibit C Dec. 29, 2003 Letter# <u>5</u> Exhibit C–1 Response to Document Requests# <u>6</u> Errata C–2 Response to Interrogatories# <u>7</u> Exhibit Aug. 31, 2004 Status Report# <u>8</u> Exhibit E– Oct. 25, 2004 Letter# <u>9</u> Errata F – Johnson Dec 2004 Dep pages# <u>10</u> Exhibit G – Chicatelli Dep Cover# <u>11</u> Exhibit H – Zickar Dep pages# <u>12</u> Exhibit I – Johnson Sept 2005 Dep pages)(Arendt, Michelle) (Entered: 10/21/2005)
10/21/2005	<u>383</u>	Joint Motion in limine <i>to exclude testimony regarding romantic relationships</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A Sheffield# <u>2</u> Exhibit B Luke Depo# <u>3</u> Exhibit C Hott)(Arendt, Michelle) (Entered: 10/21/2005)
10/21/2005	<u>384</u>	Notice / <i>certification of counsel as to Plaintiffs with bankruptcy petitions</i> filed by all plaintiffs. Related document(s) <u>359</u> . (Thompson, Dennis) (Entered: 10/21/2005)
10/21/2005	<u>385</u>	Motion in limine <i>to exclude new, untimely opinions of Michael Zickar</i> filed by City of Cleveland, Kevin Gerity. (Attachments: # <u>1</u> Exhibit Thompson Enclosure Letter Oct. 10, 2005# <u>2</u> Exhibit B – Zickar Deposition Excerpts# <u>3</u> Exhibit C – Rowe v. Case Equip. Corp# <u>4</u> Exhibit D – Baker v. Indian Prairie Comm. Unit)(Marquit Renwald, Amy) (Entered: 10/21/2005)
10/21/2005	<u>386</u>	Motion in limine <i>to exclude reference to non–relevant evidence</i> filed by all defendants. Related document(s) <u>353</u> , <u>271</u> , <u>75</u> , <u>217</u> , <u>222</u> , <u>262</u> , <u>243</u> , <u>337</u> . (Attachments: # <u>1</u> Exhibit A – Headen Second Amended Consent Decree# <u>2</u> Exhibit B – Vanguard Order# <u>3</u> Exhibit C – Vanguard Amended Consent Decree# <u>4</u> Exhibit D – Emmett Jordan EEOC Charge# <u>5</u> Exhibit E – Emmett Jordan EEOC Ruling# <u>6</u> Exhibit F – Jordan v. City of Cleveland jury verdict)(Marquit Renwald, Amy) (Entered: 10/21/2005)
10/21/2005	<u>387</u>	Objection to <i>Plaintiffs' Notice of Additional Filings Relating to Dismissed Claims</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>353</u> , <u>359</u> , <u>207</u> , <u>328</u> , <u>208</u> , <u>357</u> , <u>327</u> , <u>325</u> , <u>259</u> , <u>324</u> . (Attachments: # <u>1</u> Exhibit A – Gibbons Letters to Thompson May, June 2005) (Marquit Renwald, Amy) (Entered: 10/21/2005)
10/21/2005	<u>388</u>	Objection to <i>Certification of counsel as to plaintiffs with bankruptcy petitions</i> filed by City of Cleveland. Related document(s) <u>384</u> . (Attachments: # <u>1</u> Exhibit Acey Docket# <u>2</u> Exhibit Alford Docket# <u>3</u> Exhibit Alford second case docket# <u>4</u> Exhibit Echols Docket# <u>5</u> Exhibit Hodges Docket# <u>6</u> Exhibit Johnson Docket# <u>7</u> Exhibit Moore Docket# <u>8</u> Exhibit Nickerson Docket# <u>9</u> Exhibit Pennyman Docket# <u>10</u> Exhibit Watson Docket# <u>11</u> Exhibit White Docket# <u>12</u> Exhibit Hodges Trustee Report# <u>13</u> Exhibit Nickerson Trustee Report# <u>14</u> Exhibit White Trustee Report) (Hastings, Jr., L.) (Entered: 10/21/2005)
10/21/2005	<u>389</u>	Opposition to Joint Motion to strike / <i>exclude testimony of Dr. Michael Zickar</i> filed by all plaintiffs. Related document(s) <u>355</u> . (Attachments: # <u>1</u> Affidavit Zickar Affidavit# <u>2</u> Exhibit Zickar Deposition# <u>3</u> Exhibit Word Index, Zickar 9–30 Depo)(Thompson, Dennis) (Entered: 10/21/2005)
10/22/2005	<u>390</u>	Order signed on 10/21/05 by Judge James S. Gwin on plaintiffs' oral motion for reconsideration of Cleveland Defendants' motion for summary judgment on plaintiffs' disparate treatment and hostile environment claims. The Court grants in part and denies in part plaintiffs' oral motion for reconsideration. (Related Doc. <u>370</u> , <u>359</u> , <u>357</u> , <u>353</u>) (M, G) (Entered: 10/22/2005)
10/22/2005	<u>391</u>	Reply to response to Motion in limine <i>to preclude any presentation of evidence or witnesses by Defendants Barrett & Associates, Inc. and Gerald Barrett, and for attorneys fees</i> filed by all plaintiffs. Related document(s) <u>375</u> . (Bishop, Christy) (Entered: 10/22/2005)

10/22/2005	<u>392</u>	Opposition to Motion for <i>Bench Trial because Jury Trial is Unavailable for Disparate Impact Claim Under O.R.C. Chapter 4112</i> filed by all plaintiffs. Related document(s) <u>379</u> . (Bishop, Christy) (Entered: 10/22/2005)
10/22/2005	<u>393</u>	Motion for leave to <i>Amend and Correct Exhibit List</i> filed by City of Cleveland. (Attachments: # <u>1</u> Exhibit A: Amended Exhibit List)(Gibbons, Kevin) (Entered: 10/22/2005)
10/22/2005	<u>394</u>	Opposition to Motion in limine to <i>preclude the City of Cleveland from introducing certain documents and witnesses</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>378</u> . (Attachments: # <u>1</u> Exhibit A – Bishop Letter to Court 6–20–05)(Marquit Renwald, Amy) (Entered: 10/22/2005)
10/22/2005	<u>395</u>	Motion for reconsideration or, in the alternative <i>Rule 50 Motion</i> , filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>243</u> , <u>60</u> . (Attachments: # <u>1</u> Exhibit A – G. Wilson Depo# <u>2</u> Exhibit B– 1996 Agreement# <u>3</u> Exhibit C – 2000 Agreement# <u>4</u> Exhibit D – 2002 Agreement)(Arendt, Michelle) (Entered: 10/22/2005)
10/23/2005	<u>396</u>	Opposition to Joint Motion in limine to <i>exclude testimony regarding romantic relationships</i> , Joint Motion in limine to <i>Exclude Evidence Regarding Alleged Alterations or Improper Scoring of 2000 Exam Answer Sheets</i> , Motion in limine to <i>exclude reference to non–relevant evidence</i> , Joint Motion in limine to <i>exclude anonymous letter sent to the civil service commission (Combined in a single opposition brief)</i> filed by all plaintiffs. Related document(s) <u>383</u> , <u>380</u> , <u>386</u> , <u>381</u> . (Attachments: # <u>1</u> Exhibit 1 – EEOC O.C. Determination)(Bishop, Christy) (Entered: 10/23/2005)
10/23/2005	<u>397</u>	Opposition to Motion for reconsideration or, in the alternative <i>Rule 50 Motion, and Request for Attorney Fees</i> filed by all plaintiffs. Related document(s) <u>395</u> . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit 2 – 2000 Project Log)(Bishop, Christy) (Entered: 10/23/2005)
10/23/2005	<u>398</u>	Reply to response to Motion in limine to <i>preclude the City of Cleveland from introducing certain documents and witnesses</i> filed by all plaintiffs. Related document(s) <u>378</u> . (Bishop, Christy) (Entered: 10/23/2005)
10/23/2005	<u>399</u>	Joint Motion for an <i>Order Excluding the Expert Testimony of Dr. Robert Johnson</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A – Johnson Deposition pages# <u>2</u> Errata B – Barrett Declaration)(Arendt, Michelle) (Entered: 10/23/2005)
10/23/2005	<u>400</u>	Motion in limine to <i>exclude expert testimony from non–experts</i> filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) (Entered: 10/23/2005)
10/23/2005	<u>401</u>	Motion in limine to <i>exclude evidence under Federal Evidence Rule 403</i> filed by City of Cleveland, Kevin Gerity. (Attachments: # <u>1</u> Exhibit A – Headen Second Amended Consent Decree# <u>2</u> Exhibit B – Excerpt of Szabo Deposition# <u>3</u> Exhibit C – Luke Memo 3–21–00)(Marquit Renwald, Amy) (Entered: 10/23/2005)
10/23/2005	<u>402</u>	Motion to unseal case / <i>vacate protective order</i> filed by all plaintiffs. Related document(s) <u>44</u> , <u>38</u> . (Bishop, Christy) (Entered: 10/23/2005)
10/23/2005	<u>403</u>	Motion for leave to <i>file amended exhibit list</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit Amended Exhibit List)(Thompson, Dennis) (Entered: 10/23/2005)
10/23/2005	<u>404</u>	Opposition to Motion in limine to <i>exclude expert testimony from non–experts</i> filed by all plaintiffs. Related document(s) <u>400</u> . (Bishop, Christy) (Entered: 10/23/2005)
10/25/2005	<u>405</u>	Opposition to Motion in limine to <i>exclude evidence under Federal Evidence Rule 403</i> filed by all plaintiffs. Related document(s) <u>401</u> . (Bishop, Christy) (Entered: 10/25/2005)
10/25/2005	<u>406</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/24/05. (Court Reporter: S. Perkins) (M, G) (Entered: 10/25/2005)

10/26/2005	<u>407</u>	Opposition to Motion to unseal case <i>/vacate protective order</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>402</u> . (Attachments: # <u>1</u> Exhibit A – Barrett Dep pages# <u>2</u> Exhibit B – M Polomsky Dep pages)(Arendt, Michelle) (Entered: 10/26/2005)
10/26/2005	<u>408</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/25/05. (Court Reporter: S. Perkins) (M, G) Modified text on 10/27/2005 (M, G). (Entered: 10/26/2005)
10/26/2005	<u>409</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/26/05. (Court Reporter: S. Perkins) (M, G) Modified text on 10/27/2005 (M, G). (Entered: 10/26/2005)
10/27/2005	<u>410</u>	Opposition to Motion in limine <i>to exclude new, untimely opinions of Michael Zickar</i> filed by all plaintiffs. Related document(s) <u>385</u> . (Bishop, Christy) (Entered: 10/27/2005)
10/27/2005	<u>413</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/27/05. (Court Reporter: S. Perkins) (M, G) (Entered: 10/28/2005)
10/28/2005	<u>411</u>	Attorney Appearance by Britt J. Rossiter filed by on behalf of Barrett & Associates, Inc., Gerald Barrett. (Rossiter, Britt) (Entered: 10/28/2005)
10/28/2005	<u>412</u>	Motion for <i>Order Excluding Testimony of Timothy Polomsky</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Declaration of Adrienne L. Rapp)(Rossiter, Britt) (Entered: 10/28/2005)
10/28/2005	<u>417</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/28/05. (Court Reporter: S. Perkins) (M, G) (Entered: 10/31/2005)
10/31/2005	<u>414</u>	Opposition to Motion for <i>Order Excluding Testimony of Timothy Polomsky</i> filed by all plaintiffs. Related document(s) <u>412</u> . (Bishop, Christy) (Entered: 10/31/2005)
10/31/2005	<u>415</u>	Motion for directed verdict <i>on Public Records claim</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A – Ciganik case# <u>2</u> Exhibit B – Farmakis case# <u>3</u> Exhibit C – West case)(Arendt, Michelle) (Entered: 10/31/2005)
10/31/2005	<u>416</u>	Motion for leave <i>to file Amended Witness List</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>348</u> , <u>351</u> . (Gibbons, Kevin) (Entered: 10/31/2005)
10/31/2005	<u>418</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 10/31/05. (Court Reporters: R. Delmonico; S. Perkins) (M, G) (Entered: 11/01/2005)
11/01/2005	<u>419</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 11/1/05. (Court Reporter: R. DelMonico) (M, G) (Entered: 11/01/2005)
11/02/2005	<u>420</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 11/2/05. (Court Reporter: R. DelMonico) (M, G) (Entered: 11/02/2005)
11/03/2005	<u>421</u>	Supplemental Proposed Jury Instructions filed by Barrett & Associates, Inc., Gerald Barrett. (Rossiter, Britt) (Entered: 11/03/2005)
11/03/2005	<u>422</u>	Second Proposed Jury Instructions <i>Supplement</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 11/03/2005)
11/03/2005	<u>423</u>	Second Proposed Jury Instructions <i>Supplement</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) (Entered: 11/03/2005)
11/03/2005	<u>424</u>	Objection <i>and Additions to Court's Proposed Jury Instructions</i> filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A – City of Alliance case# <u>2</u> Exhibit B – Allen case# <u>3</u> Exhibit C – Leone Case) (Arendt, Michelle) (Entered: 11/03/2005)
11/04/2005	<u>425</u>	Motion to supplement <i>Court's draft jury instructions</i> filed by all plaintiffs. (Bishop, Christy) (Entered: 11/04/2005)
11/04/2005	<u>426</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 11/3/05. (Court Reporter: R. DelMonico; S. Perkins) (M, G) (Entered: 11/04/2005)

11/04/2005	<u>427</u>	Minutes of jury trial proceedings before Judge James S. Gwin on 11/4/05. (Court Reporters: R. DelMonico; J. Gage) (M, G) (Entered: 11/07/2005)
11/07/2005	<u>428</u>	Minutes of proceedings before Judge James S. Gwin on 11/7/05. Jury trial completed. (Court Reporter: S. Trischan.) (M, G) (Entered: 11/08/2005)
11/07/2005	<u>429</u>	Special Verdicts as to defendant Barrett & Associates, Inc. (Attachments: # Unredacted signature page of Special Verdict as to defendant Barrett & Assoc.) (L, T) (Entered: 11/10/2005)
11/07/2005	<u>430</u>	Special Verdicts as to defendant City of Cleveland. (Attachments: # Unredacted signature page of special verdicts as to defendant City of Cleveland) (L, T) (Entered: 11/10/2005)
11/07/2005	<u>431</u>	Special Verdicts as to plaintiff Keith Acey. (Attachments: # Unredacted signature page of special verdicts as to plaintiff Keith Acey) (L, T) (Entered: 11/10/2005)
11/10/2005	<u>432</u>	Exhibit and Witness Lists filed. (Attachments: # <u>1</u> Plaintiffs and defendants' exhibit lists; # <u>2</u> Plaintiffs and defendants' witness list)(L, T) (Entered: 11/10/2005)
11/10/2005	<u>433</u>	Jury notes to the court. (Attachments: # Unredacted jury notes)(L, T) Additional attachment(s) added on 11/10/2005 (L, T). (Entered: 11/10/2005)
11/10/2005	<u>434</u>	Judgment in favor of defendant Barrett & Associates, Inc. against plaintiffs on plaintiffs' Ohio public records claim; in favor of defendant Barrett & Associates, Inc. and against plaintiffs on plaintiffs' claims under Section 1983 that defendant violated plaintiffs' constitutional rights; in favor of plaintiffs and against defendant City of Cleveland on plaintiffs' claim of disparate impact of discrimination regarding the 1996 lieutenant and captain promotional examinations; in favor of defendant City of Cleveland and against plaintiffs on plaintiffs' claims of disparate impact of discrimination regarding the 2000 and 2002 lieutenant and captain promotion examinations; in favor of defendant City of Cleveland and against plaintiffs Keith Acey, David Austin, Anthony Luke, Daryl McGinnis, Lawrence Moore and Asa Newsom and Bruce Williams on plaintiffs' federal claims of hostile work environment; in favor of defendant City of Cleveland and against plaintiffs Bruce Williams and David Austin on plaintiffs' state law claims of hostile work environment and for plaintiffs against the City of Cleveland on plaintiffs' state law claims of hostile work environment as follows: damages for Keith Acey in the amount of \$35,000, Anthony Luke in the amount of \$30,000, Daryl McGinnis in the amount of \$41,000, Lawrence Moore in the amount of \$5,000 and Asa Newsome in the amount of \$95,000; court retains jurisdiction to enter judgment as to plaintiffs' claims of disparate impact of discrimination regarding the 1996 lieutenant and caption promotion examinations. Signed by Judge James S. Gwin on 11/10/05. (L, T) (Entered: 11/10/2005)
11/15/2005	<u>435</u>	Address Change Notice filed by Thomas H. Barnard, Jr., Barton A. Bixenstine, Britt J. Rossiter, Michelle R. Arendt on behalf of Barrett & Associates, Inc., Gerald Barrett. (Arendt, Michelle) Modified text of docket entry on 11/21/2005 (B, B). (Entered: 11/15/2005)
11/15/2005	<u>436</u>	Order of referral to mediation before Magistrate Judge Patricia Hemann signed by Judge James S. Gwin on 11/15/05. (M, G) (Entered: 11/15/2005)
11/21/2005	<u>437</u>	Motion for extension of to file brief on testing remedies until Until November 30, 2005 filed by City of Cleveland, Kevin Gerity. (Marquit Renwald, Amy) (Entered: 11/21/2005)
11/21/2005	<u>438</u>	Brief <i>regarding damages for disparate impact claims</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 01 – Wage Summary Table# <u>2</u> Exhibit 02 – Overtime Summary, 2004# <u>3</u> Exhibit 03 – Wage Loss Computation, Lieutenant# <u>4</u> Exhibit 04 – wage Loss computation, Individual Lieutenant# <u>5</u> Exhibit 05 – wage Loss Computation, Captain# <u>6</u> Exhibit 05 – Wage Loss Computation, Individual Captain# <u>7</u> Exhibit 07 – Collins F*** You e-mail# <u>8</u> Exhibit 08 – Luke, Collins e-mail research# <u>9</u> Exhibit 09 – Overtime & Acting Time highest paid analysis, 2003# <u>10</u> Exhibit 10 – Overtime & Acting Time highest paid analysis, 2004# <u>11</u>

		Exhibit 11 – NFPA 1021, 2003 Ed.# <u>12</u> Exhibit 12 – Plaintiff test summary, Defendant Ex. I# <u>13</u> Affidavit Tony Luke# <u>14</u> Affidavit Kevin Echols# <u>15</u> Affidavit Neville Lee# <u>16</u> Affidavit Daryl McGinnis) (Bishop, Christy) Modified text on 3/14/2006 (S, T). (Entered: 11/21/2005)
11/21/2005	<u>439</u>	Deposition of Brent Collins taken on April 27, 2005. filed by all plaintiffs. Related document(s) <u>438</u> . (Bishop, Christy) (Entered: 11/21/2005)
11/22/2005	<u>440</u>	Marginal Order signed by Judge James S. Gwin on 11/22/05 extending the date for the filing of briefs on potential remedies available to plaintiffs on their disparate impact claim until 11/30/05. (Related Doc. <u>437</u>) (M, G) (Entered: 11/22/2005)
11/22/2005	<u>441</u>	Order signed by Judge James S. Gwin on 11/22/05 that the lunches provided to the jurors in the above-captioned case on 11/7/05 be paid for by the Court. (M, G) (Entered: 11/22/2005)
11/28/2005	<u>442</u>	Motion for judgment notwithstanding the verdict under Rule 50 (B) filed by City of Cleveland, Kevin Gerity. Related document(s) <u>430</u> , <u>434</u> . (Marquit Renwald, Amy) Modified text of docket entry on 12/1/2005 (B, B). (Entered: 11/28/2005)
11/28/2005	<u>443</u>	Motion for attorney fees and related expenses filed by Michelle R. Arendt on behalf of Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit A – Barnard Declaration# <u>2</u> Exhibit A–1 Time Entries Itemization# <u>3</u> Exhibit A–2 Billing Summary# <u>4</u> Exhibit B – Steve Bell Affidavit)(Arendt, Michelle) Modified text of docket entry on 12/1/2005 (B, B). (Entered: 11/28/2005)
11/28/2005	<u>444</u>	Motion to alter/amend judgment <i>and for new trial</i> filed by all plaintiffs. Related document(s) <u>353</u> , <u>434</u> . (Bishop, Christy) (Entered: 11/28/2005)
11/30/2005	<u>445</u>	Notice of filing <i>unreported cases</i> filed by all plaintiffs. (Attachments: # <u>1</u> Essex v. Merrill# <u>2</u> Walker v. Russell# <u>3</u> Warthan v. Allstate)Related document(s) <u>444</u> . (Bishop, Christy) (Entered: 11/30/2005)
11/30/2005	<u>446</u>	Order signed by Judge James S. Gwin on 11/30/05 that lunches provided to the jurors on 11/3/05 be paid for by the Court. (M, G) (Entered: 11/30/2005)
11/30/2005	<u>447</u>	Pre-Trial Brief on <i>testing remedies and request for hearing on remedies</i> filed by City of Cleveland, Kevin Gerity. (Attachments: # <u>1</u> 1996 Lieutenant Grid# <u>2</u> 1996 Captain Grid# <u>3</u> Williams Complaint (I)# <u>4</u> Williams Complaint (II)# <u>5</u> Baker Affidavit# <u>6</u> Exhibit A to Baker Affidavit (Overtime Analysis))(Marquit Renwald, Amy) Modified text of docket entry on 12/2/2005 (B, B). (Entered: 11/30/2005)
12/02/2005	<u>448</u>	Notice of filing of exhibits to <i>City's Brief on Potential Test Remedies</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>447</u> . (Attachments: # <u>1</u> Exhibit 6 Wollman Verified Complaint# <u>2</u> Exhibit 7 Wollman Judgment Entry)(Marquit Renwald, Amy) Modified text, wrong event used, notified filer on 12/2/2005 (E, P). (Entered: 12/02/2005)
12/12/2005	<u>449</u>	Motion for extension of time until 12/30/05 to File Opposition to Defendants Barrett & Associates, Inc. and Gerald Barrett's Motion for Attorneys Fees & Costs filed by all plaintiffs. Related document(s) <u>443</u> . (Thompson, Dennis) Modified text on 12/13/2005 (S, T). (Entered: 12/12/2005)
12/12/2005	<u>450</u>	Motion for extension of time to File Brief in Opposition to Defendant City of Cleveland's Motion for Judgment filed by all plaintiffs. Related document(s) <u>442</u> . (Thompson, Dennis) Modified text on 12/13/2005 (S, T). (Entered: 12/12/2005)
12/12/2005	<u>451</u>	Opposition to Motion to alter/amend judgment <i>and for new trial</i> filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>444</u> . (Attachments: # <u>1</u> Exhibit A – 1996 Agreement# <u>2</u> Exhibit B – 2000 Agreement# <u>3</u> Exhibit C – State Auto case# <u>4</u> Exhibit D – Exxon case# <u>5</u> Exhibit E – Roy case# <u>6</u> Exhibit F – Trial Transcript excerpt)(Arendt, Michelle) (Entered: 12/12/2005)
12/12/2005	<u>452</u>	Opposition to Motion to alter/amend judgment <i>and for new trial</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>444</u> . (Attachments: # <u>1</u> Exhibit A

		– Macdermid Inc. v. Electrochemicals Inc.)(Marquit Renwald, Amy) (Entered: 12/12/2005)
12/15/2005	<u>453</u>	Order signed by Judge James S. Gwin on 12/15/05 granting plaintiffs' motions for an extension of time to respond to the pending motions for attorney fees/costs and judgment. Plaintiffs shall file their responses by 12/30/05. (Related Doc. <u>442</u> , <u>443</u> , <u>449</u> , <u>450</u>) (M, G) (Entered: 12/15/2005)
12/26/2005	<u>454</u>	Order signed by Judge James S. Gwin on 12/26/05 referring the motion for attorney fees to Magistrate Judge Hemann for a Report and Recommendation. (Related Doc. <u>443</u>). (M, G) (Entered: 12/26/2005)
12/30/2005	<u>455</u>	Opposition to Motion for judgment NOV for <i>City of Cleveland, et al.</i> filed by all plaintiffs. Related document(s) <u>442</u> . (Bishop, Christy) (Entered: 12/30/2005)
12/30/2005	<u>456</u>	Opposition to Motion for attorney fees by Michelle R. Arendt filed by all plaintiffs. Related document(s) <u>443</u> . (Attachments: # <u>1</u> Exhibit 1 – ND Ohio Bill of Costs)(Bishop, Christy) (Entered: 12/30/2005)
01/03/2006	<u>457</u>	Motion for extension of time until January 13, 2006 to File reply Brief re: Plaintiffs' Motion to Alter/Amend or For New Trial filed by all plaintiffs. Related document(s) <u>452</u> , <u>451</u> , <u>444</u> . (Thompson, Dennis) (Entered: 01/03/2006)
01/04/2006	<u>458</u>	Supplement to <i>Barrett Motion for Fees – Controlling Authority</i> filed by all plaintiffs. Related document(s) <u>456</u> . (Attachments: # <u>1</u> Supplement Balmer v. HCA)(Bishop, Christy) (Entered: 01/04/2006)
01/06/2006	<u>459</u>	Marginal Order signed by Judge James S. Gwin on 1/6/06 granting plaintiffs' motion for an extension of time until 1/13/06 to file their reply to motion to alter/amend judgment or for new trial. (Related Doc. <u>457</u>) (M, G) (Entered: 01/06/2006)
01/12/2006	<u>460</u>	Reply to response to Motion to alter/amend judgment <i>and for new trial</i> filed by all plaintiffs. Related document(s) <u>444</u> . (Attachments: # <u>1</u> Exhibit 1 – Entire 1996 Agreement# <u>2</u> Exhibit 2 – Entire 2000 Agreement)(Bishop, Christy) (Entered: 01/12/2006)
01/13/2006	<u>461</u>	Reply to response to Motion for attorney fees by Michelle R. Arendt filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>443</u> . (Arendt, Michelle) (Entered: 01/13/2006)
01/20/2006	<u>462</u>	Reply to response to Motion for judgment notwithstanding the verdict filed by City of Cleveland, Kevin Gerity. Related document(s) <u>442</u> . (Attachments: # <u>1</u> Exhibit A – Trial Transcript (11–1–05) pp. 865–879# <u>2</u> Exhibit B – Trial Transcript (11–4–05) p. 1786)(Marquit Renwald, Amy) Modified text on 1/23/2006 (S, T). (Entered: 01/20/2006)
01/23/2006	463	Transcript of Trial Proceedings (Volume VI) held on 10/31/05 before Judge James S. Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Richard G. DelMonico at 330–472–1830. Complete document on file, 182 pages. (W, He) (Entered: 01/23/2006)
01/23/2006	464	Transcript of Trial Proceedings (Volume VIII) held on 11/1/05 before Judge James S. Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Richard G. DelMonico at 330–472–1830. Complete document on file, 309 pages. (W, He) (Entered: 01/23/2006)
01/23/2006	465	Transcript of Trial Proceedings (Volume IX) held on 11/2/05 before Judge James S. Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Richard G. DelMonico at 330–472–1830. Complete document on file, 339 pages. (W, He) (Entered: 01/23/2006)
01/23/2006	466	Transcript of Trial Proceedings (Volume X) held on 11/3/05 before Judge James S. Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Richard G. DelMonico at 330–472–1830. Complete document on file, 157 pages. (W, He) (Entered: 01/23/2006)

01/23/2006	<u>467</u>	Transcript of Trial Proceedings (Volume XII) held on 11/4/05 before Judge James S. Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Richard G. DelMonico at 330-472-1830. Complete document on file, 181 pages. (W, He) (Entered: 01/23/2006)
01/27/2006	<u>468</u>	Motion for leave to file <i>instantly</i> surreply in opposition to Plaintiffs' JNOV motion, filed by City of Cleveland, Kevin Gerity. Related document(s) <u>353</u> , <u>452</u> , <u>359</u> , <u>460</u> , <u>236</u> , <u>390</u> . (Attachments: # <u>1</u> Surreply In Opposition)(Marquit Renwald, Amy) Modified text on 1/30/2006 (S, T). (Entered: 01/27/2006)
02/03/2006	<u>469</u>	Marginal Order signed by Judge James S. Gwin on 2/3/06 granting the motion of Defendants City of Cleveland and Gerity to file a sur-reply to the motion for judgment notwithstanding the the verdict. The sur-reply shall be filed upon receipt of this marginal entry. (Related Doc. <u>468</u>) (M, G) (Entered: 02/03/2006)
02/03/2006	<u>470</u>	Sur-Reply to Plaintiffs' Motion to alter/amend judgment and for new trial filed by City of Cleveland, Kevin Gerity. Related document(s) <u>444</u> . (Marquit Renwald, Amy) (Entered: 02/03/2006)
02/09/2006	<u>471</u>	Report and Recommendation that defendants' motion for attorney fees and related expenses be overruled. Signed by Judge Patricia A. Hemann on 2/9/2006. (W, Gloria) (Entered: 02/09/2006)
02/13/2006	<u>472</u>	Order terminating case referral. Signed by Judge Patricia A. Hemann on 02/10/06. (S, N) (Entered: 02/13/2006)
02/24/2006	<u>473</u>	Minutes of proceedings. Settlement Conference before Judge Patricia A. Hemann. Case cannot settle. (W, Gloria) (Entered: 02/24/2006)
02/24/2006	<u>474</u>	Objection to Report and Recommendation on Motion for Attorneys' Fees filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>471</u> . (Attachments: # <u>1</u> Exhibit A - Feb 17, 2005 Letter) (Arendt, Michelle) (Entered: 02/24/2006)
02/27/2006	<u>475</u>	Bill of costs filed by all plaintiffs. (C, K A) (Entered: 02/27/2006)
02/27/2006	<u>476</u>	Notice of failure to file electronically, pursuant to Local Rule 5.1(c). Non-compliant document: <u>475</u> Bill of costs filed by Anthony Luke,, Keith Acey,, Rudolph Buffington,, Michael Odum,, Bashir Rahman,, Daryl McGinnis,, Kenneth Guyton,, Bruce Williams,, Kevin Echols,, Granville White,, Asa Newsome,, Lawrence Moore, Related document(s) <u>475</u> . (C, K A) (Entered: 02/27/2006)
02/27/2006	<u>477</u>	Order terminating case referral. Signed by Judge Patricia A. Hemann on 2/27/06.(S, N) (Entered: 02/27/2006)
03/01/2006	<u>478</u>	Motion for leave to file <i>Amendment to Damages Brief, removing certain prospective, inter-Departmental relief requests</i> filed by all plaintiffs. Related document(s) <u>438</u> . (Bishop, Christy) (Entered: 03/01/2006)
03/02/2006	<u>479</u>	Notice that a damages hearing will be held on 3/14/06 at 8:30 a.m., in Courtroom 19A, (Cleveland) before Judge James S. Gwin. (Related Doc. <u>434</u>) (M, G) (Entered: 03/02/2006)
03/03/2006	<u>480</u>	Motion to continue <i>date for remedies hearing</i> filed by City of Cleveland, Kevin Gerity. Related document(s) <u>479</u> . (Marquit Renwald, Amy) (Entered: 03/03/2006)
03/03/2006	<u>481</u>	Motion to quash <i>City's unilateral, unfiled notice of video deposition of Chief Stubbs whose vacation interferes with Damages Hearing ordered by this Court</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit City's Unilateral and Unfiled Notice of Video Deposition)(Thompson, Dennis) (Entered: 03/03/2006)
03/07/2006	<u>482</u>	Marginal Order signed by Judge James S. Gwin on 3/7/06 denying motion of City of Cleveland and Fire Chief Paul Stubbs for a continuance of the damages hearing. (Related Doc. <u>480</u> , <u>479</u>) (M, G) (Entered: 03/07/2006)
03/07/2006	<u>483</u>	Opposition to Motion to quash <i>City's unilateral, unfiled notice of video deposition of Chief Stubbs whose vacation interferes with Damages Hearing</i>

		<i>ordered by this Court</i> filed by City of Cleveland, Kevin Gerrity. Related document(s) <u>481</u> . (Marquit Renwald, Amy) (Entered: 03/07/2006)
03/07/2006	<u>484</u>	Reply to response to Motion to quash <i>City's unilateral, unfiled notice of video deposition of Chief Stubbs whose vacation interferes with Damages Hearing ordered by this Court and scheduled by mutual consent of the parties</i> filed by all plaintiffs. Related document(s) <u>481</u> . (Attachments: # <u>1</u> Exhibit Pleban Case – Defendant's Notice to Take Expert Depo)(Thompson, Dennis) Modified text on 3/8/2006 (S, T). (Entered: 03/07/2006)
03/08/2006	<u>485</u>	Marginal Order signed by Judge James S. Gwin on 3/8/06 granting plaintiffs' motion for leave to amend damages brief. (Related Doc. <u>478</u>) (M, G) (Entered: 03/08/2006)
03/08/2006	<u>486</u>	Motion for leave <i>to file instanter a surreply in opposition to Plaintiffs' motion to quash</i> , filed by City of Cleveland, Kevin Gerrity. Related document(s) <u>483</u> , <u>481</u> , <u>484</u> . (Attachments: # <u>1</u> Exhibit A City's Surreply in Opposition to Plaintiffs' Motion to Quash)(Marquit Renwald, Amy) (Entered: 03/08/2006)
03/08/2006	<u>487</u>	Opposition to Motion for leave <i>to file instanter a surreply in opposition to Plaintiffs' motion to quash</i> ., Motion to quash <i>City's unilateral, unfiled notice of video deposition of Chief Stubbs whose vacation interferes with Damages Hearing ordered by this Court</i> filed by all plaintiffs. Related document(s) <u>486</u> , <u>481</u> . (Bishop, Christy) (Entered: 03/08/2006)
03/08/2006	<u>488</u>	Order signed by Judge James S. Gwin on 3/8/06 adopting the Report and Recommendation and denying the motion of Defendants Gerald Barrett and Barrett & Associates, Inc., for attorney fees and related expenses. (Related Docs. <u>443</u> , <u>456</u> , <u>461</u> , <u>471</u>) (M, G) (Entered: 03/08/2006)
03/09/2006	<u>489</u>	Reply to response to Motion for leave <i>to file instanter a surreply in opposition to Plaintiffs' motion to quash</i> , filed by City of Cleveland, Kevin Gerrity. Related document(s) <u>486</u> . (Marquit Renwald, Amy) (Entered: 03/09/2006)
03/10/2006	<u>490</u>	Joint Motion for leave <i>to present live testimony from Defendant Chief Stubbs from a remote location</i> , filed by City of Cleveland, Kevin Gerrity and plaintiffs. (Marquit Renwald, Amy) Modified text on 3/13/2006 (S, T). (Entered: 03/10/2006)
03/11/2006	<u>491</u>	Marginal Order signed by Judge James S. Gwin on 3/11/06 granting motion to present live testimony of Chief Stubbs from remote location at hearing on 3/14/06. (Related Doc. <u>490</u>) (M, G) (Entered: 03/11/2006)
03/13/2006	<u>492</u>	Marginal Order signed by Judge James S. Gwin on 3/13/05 denying as moot plaintiffs' motion to quash. (Related Doc. <u>481</u>) (M, G) (Entered: 03/13/2006)
03/13/2006	<u>493</u>	Marginal Order signed by Judge James S. Gwin on 3/13/06 denying as moot defendants' motion to file a surreply instanter. (Related Doc. <u>486</u>) (M, G) (Entered: 03/13/2006)
03/13/2006	<u>494</u>	Amended Pre–Hearing Brief on damages with respect to disparate impact and hostile work environment claims filed by all plaintiffs. (Thompson, Dennis) Related document <u>438</u> . Modified text & created link on 3/14/2006 (S, T). (Entered: 03/13/2006)
03/14/2006	<u>495</u>	Minutes of damages hearing and settlement dicussions held on 3/14/06 before Judge James S. Gwin. (Court Reporter: S. Perkins) (M, G) (Entered: 03/14/2006)
03/14/2006	<u>496</u>	Order signed by Judge James S. Gwin on 3/14/06 that upon representation from the parties that all remaining issues have been resovled, the docket is marked settled and dismissed with prejudice. (M, G) (Entered: 03/14/2006)
04/21/2006	<u>497</u>	Bill of costs filed by Barrett & Associates, Inc., Gerald Barrett. (Attachments: # <u>1</u> Exhibit Itemization and Invoices) (Arendt, Michelle) (Entered: 04/21/2006)
04/24/2006	<u>498</u>	Transcript of Verdict Proceedings held on 11/7/2005 before Judge Gwin filed manually. To obtain a bound copy of this transcript please contact Court Reporter Sue Trischan at 440–570–6950. Complete document on file, 24 pages. (S, T) (Entered: 04/24/2006)

05/05/2006	<u>499</u>	Motion for extension of time until May 31, 2006 to file opposition to Barrett's bill of costs filed by all plaintiffs. (Thompson, Dennis) (Entered: 05/05/2006)
05/12/2006	<u>500</u>	Marginal Order signed by Judge James S. Gwin on 5/12/06 granting plaintiffs' motion for an extension of time until 5/31/06 to file opposition to the bill of costs. (Related Doc. <u>497</u> , <u>499</u>) (M, G) (Entered: 05/12/2006)
06/01/2006	<u>501</u>	Objection to <i>Defendant Barrett & Associates and Barrett's Second Request for Costs</i> filed by all plaintiffs. Related document(s) <u>497</u> . (Bishop, Christy) (Entered: 06/01/2006)
06/15/2006	<u>502</u>	Response to Plaintiffs' Objection to Defendants' Bill of Costs filed by Barrett & Associates, Inc., Gerald Barrett. Related document(s) <u>501</u> . (Attachments: # <u>1</u> Exhibit A – Baker v. First Tennessee) (Arendt, Michelle) (Entered: 06/15/2006)
06/21/2006	<u>503</u>	Motion to enforce <i>settlement agreement, back pay and for post judgment interest filed by all plaintiffs. (Thompson, Dennis) Modified text on 6/21/2006 (S, T).</i> (Entered: 06/21/2006)
06/22/2006	<u>504</u>	Order signed by Judge James S. Gwin on 6/22/06 referring plaintiffs' motion to enforce settlement, back pay and post judgment interest to Magistrate Judge Hemann for a Report and Recommendation. (Related Doc. [503]) (M, G) Modified text on 6/22/2006 (S, T). (Entered: 06/22/2006)
06/29/2006	<u>505</u>	Motion for extension of time until 7/6/2006 to respond/reply to defendants Barrett & Associates, Inc. and Gerald Barrett's motion to stike filed by all plaintiffs. Related document(s) <u>502</u> , <u>501</u> , <u>497</u> . (Bishop, Christy) Modified text & links on 6/30/2006 (S, T). (Entered: 06/29/2006)
06/30/2006	<u>506</u>	Marginal Order signed by Judge James S. Gwin on 6/30/06 granting plaintiffs' motion for an extension of time until 7/6/06 to file their reply concerning the motion for costs. (Related Doc. <u>505</u>) (M, G) (Entered: 06/30/2006)
07/06/2006	<u>507</u>	Reply to Barrett's Response to Plaintiffs' Objection to Costs and Motion to Strike filed by all plaintiffs. Related document(s) <u>501</u> , <u>502</u> . (Attachments: # <u>1</u> Exhibit 1 – May 31 EFC Notification of Filing# <u>2</u> Exhibit 2 – ECF Posting – June 1, 2:05 a.m.) (Bishop, Christy) Modified docket text on 7/7/2006 (R, N). (Entered: 07/06/2006)
07/07/2006	<u>508</u>	Minutes of proceedings. Telephone Conference held on 7/7/2006 before Magistrate Judge Patricia A. Hemann. Counsel to redraft settlement proposals, exchange drafts and negotiates. (W, Gloria) Modified docket text on 7/7/2006 (R, N). (Entered: 07/07/2006)
07/07/2006	<u>509</u>	Response to Motion to enforce <i>settlement agreement</i> filed by City of Cleveland. Related document(s) <u>503</u> . (Gibbons, Kevin) (Entered: 07/07/2006)
07/17/2006	<u>510</u>	Reply to response to Motion to enforce <i>settlement agreement</i> filed by all plaintiffs. Related document(s) <u>503</u> . (Bishop, Christy) (Entered: 07/17/2006)
07/17/2006	<u>511</u>	Appendix of <i>Unreported cases to Plaintiffs' Reply on Motion to Enforce Settlement</i> filed by all plaintiffs. Related document(s) <u>510</u> . (Attachments: # <u>1</u> Genesis v Crown Life Ins.# <u>2</u> Gibson v. Dairy# <u>3</u> Mandato v. Mandato# <u>4</u> McConnell v. Applied Performance Tech# <u>5</u> Simulate v. Clark–O'Neill)(Bishop, Christy) (Entered: 07/17/2006)
07/19/2006	<u>512</u>	FILING ERROR – ATTORNEY TO RE-FILE – Sur-Reply to <i>Plaintiffs' Reply to Motion to enforce settlement agreement</i> filed by City of Cleveland. Related document(s) <u>503</u> . (Attachments: # <u>1</u> Brief in Support Exhibit A.# <u>2</u> Exhibit B: Affidavit of Asst. Chief O'Toole# <u>3</u> Exhibit C: Collective Bargaining Agreement Between Cleveland and Local 93# <u>4</u> Exhibit D: Letter from D.Thompson, 5–30–06# <u>5</u> Exhibit E: D. Thompson Revised Agreement 6–6–06# <u>6</u> Exhibit F: E-Mail from D.Thompson, 6–15–06)(Gibbons, Kevin) Modified text on 7/19/2006 (S, T). (Entered: 07/19/2006)
07/19/2006	<u>513</u>	Motion for leave to <i>File Sur-Reply to Plaintiffs' Reply Brief</i> filed by City of Cleveland. Related document(s) <u>503</u> , <u>510</u> , <u>512</u> . (Attachments: # <u>1</u> Exhibit Sur-Reply)(Gibbons, Kevin) Modified link on 7/20/2006 (S, T). (Entered: 07/19/2006)

07/20/2006	<u>514</u>	Opposition to Motion for leave to <i>File Sur-Reply to Plaintiffs' Reply Brief</i> filed by all plaintiffs. Related document(s) <u>513</u> . (Bishop, Christy) (Entered: 07/20/2006)
07/21/2006		Order [non-document] granting defendant City of Cleveland's Motion for leave to file sur-reply to plaintiffs' response to defendants' reply to the motion to enforce settlement agreement (Related Doc # <u>513</u>). Entered on behalf of Judge Patricia A. Hemann on 7/21/2006.(W, Gloria) (Entered: 07/21/2006)
07/21/2006	<u>515</u>	Report and Recommendation that the court enforce the terms of the settlement agreement as articulated by plaintiffs. The magistrate judge further recommends that the court grant plaintiffs' request for postjudgment interest but deny the request for attorneys' fees. Signed by Judge Patricia A. Hemann on 7/21/2006. (W, Gloria) (Entered: 07/21/2006)
07/21/2006	<u>516</u>	Sur-Reply to <i>Plaintiffs' Reply to Motion to enforce settlement agreement</i> filed by City of Cleveland. Related document(s) <u>503</u> . (Attachments: # <u>1</u> Exhibit B: Affidavit of Asst. Chief O'Toole# <u>2</u> Exhibit C: Local 93 Collective Bargaining Agreement# <u>3</u> Exhibit D: Letter from Thompson 5-30-06# <u>4</u> Exhibit E: Thompson Proposed Settlement Agreement# <u>5</u> Exhibit F: E-Mail from Thompson 6-15-05)(Gibbons, Kevin) (Entered: 07/21/2006)
08/04/2006	<u>517</u>	Objection to Report and Recommendation of <i>Magistrate-Judge</i> filed by City of Cleveland. Related document(s) <u>515</u> . (Attachments: # <u>1</u> Brief in Support # <u>2</u> Exhibit A; Affidavit of AC O'Toole# <u>3</u> Exhibit B: Local 93 CBA-HDI# <u>4</u> Exhibit C: Thompson Letter 5-30-06# <u>5</u> Exhibit D: Thompson Draft of Settlement Agreement# <u>6</u> Exhibit E: Thompson E-Mail 6-15-06# <u>7</u> Exhibit F: Local 93 CBA-Promotions# <u>8</u> Exhibit G: Fire Lieutenant Job Description# <u>9</u> Exhibit H: Fire Captain Job Description# <u>10</u> Exhibit I-1: Bishop E-mail 6-16-06# <u>11</u> Exhibit I-2: Bishop 2nd E-mail 6-16-06# <u>12</u> Exhibit I-3: City E-Mail 6-16-06# <u>13</u> Exhibit J: SERB Opinion 97-016# <u>14</u> Exhibit K: Affidavit of Union President Fisher) (Gibbons, Kevin) (Entered: 08/04/2006)
08/17/2006	<u>518</u>	Motion for extension of Objections to Magistrate RRuntil 8/28/2006 filed by all plaintiffs. Related document(s) <u>517</u> , <u>515</u> . (Bishop, Christy) Modified to term motion on 8/18/2006 (L, T). (Entered: 08/17/2006)
08/17/2006	<u>519</u>	Amended Motion (Corrected) for extension of time to Respond to Defendant's Objections to Magistrate's RRuntil 8/28/2006 filed by all plaintiffs. Related documents <u>517</u> , <u>518</u> . (Bishop, Christy) Modified text on 8/18/2006 (L, T). (Entered: 08/17/2006)
08/28/2006	<u>520</u>	Response/reply to City's Rule 72 Objections to <i>Magistrates Report & Recommendations Re: Settlement</i> filed by all plaintiffs. Related document(s) <u>517</u> , <u>515</u> . (Bishop, Christy) (Entered: 08/28/2006)
08/30/2006	<u>521</u>	Marginal Order signed by Judge James S. Gwin on 8/30/06 granting plaintiffs' motion for an extension of time until 8/28/08 to respond to defendants' objections to the Report and Recommendation. (Related Doc. <u>519</u>) (M, G) (Entered: 08/30/2006)
09/01/2006	<u>522</u>	Motion for leave to <i>File Reply in Support of its Objections to the Magistrate's Report and Recommendation</i> filed by City of Cleveland, Kevin Gerrity. Related document(s) <u>517</u> , <u>520</u> . (Marquit Renwald, Amy) (Entered: 09/01/2006)
09/06/2006	<u>523</u>	Opposition to Motion for leave to <i>File Reply in Support of its Objections to the Magistrate's Report and Recommendation</i> , Motion to enforce <i>settlement agreement</i> filed by all plaintiffs. Related document(s) <u>522</u> , <u>503</u> . (Bishop, Christy) (Entered: 09/06/2006)
09/11/2006	<u>524</u>	Marginal Order signed by Judge James S. Gwin on 9/11/06 denying defendants' motion for leave to file a reply as to the Report and Recommendation. (Related Doc. <u>522</u>) (M, G) (Entered: 09/11/2006)
10/20/2006	<u>525</u>	Motion for damages , <i>back pay from March 14, 2006 -- the date the settlement agreement was placed on the record</i> filed by all plaintiffs. (Thompson, Dennis) (Entered: 10/20/2006)

11/06/2006	<u>526</u>	Reply in Opposition to Motion for damages , <i>back pay from March 14, 2006 -- the date the settlement agreement was placed on the record</i> filed by City of Cleveland, Paul Stubbs. Related document(s) <u>525</u> . (Attachments: # Exhibit 1: Affidavit of Robert Baker)(Marquit Renwald, Amy) Modified text on 11/7/2006 (S, T). (Entered: 11/06/2006)
11/13/2006	<u>527</u>	Order signed by Judge James S. Gwin on 11/13/06 adopting the Report and Recommendation of Magistrate Judge Hemann. The Court enforces the terms of the settlement agreement as articulated by plaintiffs, grants post-judgment interest and denies plaintiffs' request for attorney fees. (Related Doc. <u>509</u> , <u>510</u> , <u>515</u> , <u>516</u> , <u>517</u> , <u>520</u>) (M, G) (Entered: 11/13/2006)
11/14/2006	<u>528</u>	Order signed by Judge James S. Gwin on 11/14/06 referring plaintiffs' motion for damages to Magistrate Judge Hemann for a Report and Recommendation. (Related Doc. <u>525</u>) (M, G) (Entered: 11/14/2006)
12/05/2006	<u>529</u>	Report and Recommendation. The magistrate recommends that the court grant plaintiffs' motion for backpay. re <u>525</u> . Signed by Judge Patricia A. Hemann on 12/5/2006. (W, Gloria) (Entered: 12/05/2006)
01/05/2007	<u>530</u>	Order signed by Judge James S. Gwin on 1/5/07 adopting the Report and Recommendation and granting plaintiffs' motion for back pay from the settlement date. (Related Doc. <u>525</u> , <u>526</u> , <u>529</u>) (M, G) (Entered: 01/05/2007)
01/12/2007	<u>531</u>	Motion to stay selection of cycle days, special days vacation days and flex day selections pending promotion of plaintiffs filed by all plaintiffs. (Attachments: # <u>1</u> Affidavit Daryl McGinnis# <u>2</u> Exhibit A- Letter to Attorney Kevin Gibbons, 11-15-06)(Thompson, Dennis) Modified docket text on 1/16/2007 (R,N). (Entered: 01/12/2007)
01/12/2007	<u>532</u>	Motion to lift stay <i>on 2002 examination, and notice of intent to promote</i> filed by City of Cleveland, Kevin Gerrity. Related document(s) <u>44</u> , <u>64</u> , <u>81</u> . (Attachments: # <u>1</u> Exhibit 1 - ECF 44, Order# <u>2</u> Exhibit 2 - Renwald email 11-16-06 with draft Agreement# <u>3</u> Exhibit 3 - Thompson email 11-16-06# <u>4</u> Exhibit 4 - Renwald email 12-29-06# <u>5</u> Exhibit 5 - Bishop email 1-2-07)(Marquit Renwald, Amy) (Entered: 01/12/2007)
01/17/2007	<u>533</u>	Order signed by Judge James S. Gwin on 1/17/07 referring plaintiffs' motion to stay and defendants' motion to lift stay to Magistrate Judge Hemann for a Report and Recommendation. (Related Docs. <u>531</u> , <u>532</u>) (M,G) (Entered: 01/17/2007)
01/24/2007	<u>534</u>	Response to <u>532</u> defendant City of Cleveland's Motion to lift stay <i>on 2002 examination, and notice of intent to promote</i> filed by all plaintiffs. (Attachments: # <u>1</u> Exhibit 1 - Cleveland's Nov. & 2007 Release# <u>2</u> Exhibit 2 - Plaintiff's Counsel E-mail to Cleveland's - 1-24-07# <u>3</u> Exhibit 3 - Plaintiff's Revised Release)(Bishop, Christy) Modified text on 1/25/2007 (S, T). (Entered: 01/24/2007)
01/25/2007	<u>535</u>	Stipulated Notice of Dismissal Under FRCP 41(a)(1) <i>and Lift On Hold of 2002 Eligibility List</i> filed by Bashir Rahman, Daryl McGinnis, Kenneth Guyton, Lawrence Moore, Asa Newsome, Bruce Williams, Kevin Echols, Granville White, City of Cleveland, Kevin Gerrity, Anthony Luke, Keith Acey, Rudolph Buffington, Michael Odum. (Marquit Renwald, Amy) (Entered: 01/25/2007)
01/26/2007	<u>536</u>	Stipulated dismissal with prejudice approved by Judge James S. Gwin on 1/26/07. (Related Doc. <u>535</u>) (M,G) (Entered: 01/26/2007)
01/31/2007	<u>537</u>	Returned Mail addressed to Sean DeCrane. Envelope states "Return to sender, not deliverable as addressed, unable to forward" (Related document <u>536</u>). (R,N) Modified on 5/11/2007. Resent to Sean DeCrane c/o Local 93 Union, 3886 Rocky River Drive #3, Cleveland, OH 44111 (G, C). (Entered: 01/31/2007)