

**U.S. District Court
CENTRAL DISTRICT OF ILLINOIS (Rock Island)
CIVIL DOCKET FOR CASE #: 4:01-cv-04075-JAG**

Griffin, et al v. Deere & Co., et al
Assigned to: Mag. Judge John A. Gorman
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/13/2001
Date Terminated: 01/30/2003
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Connie Griffin
*on behalf of herself and others similarly
situated*

represented by **Dorothy A O'Brien**
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Plaintiff

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*on behalf of herself and others similarly
situated*

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Plaintiff

Donna Wilson
*on behalf of herself and others similarly
situated*

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Marlita A Greve
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Plaintiff

Ruby Davis
*on behalf of herself and others similarly
situated*

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Plaintiff

Mary Brooks
*on behalf of herself and others similarly
situated*

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Plaintiff

Cheryl Van Dyke
*on behalf of herself and others similarly
situated*

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Plaintiff

Linda Nicholson
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Plaintiff

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Plaintiff

Amelia Rose Toolate
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Plaintiff

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Plaintiff

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Plaintiff

Janet Brown

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V.

Defendant

Deere &Company

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Defendant

**John Deere Harvester Works of Deere
& Company**
*sued as Harvester Works East Moline, a
division of John Deere Worldwide
Agriculture Division*

represented by **Angela R Mersch**
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Date Filed	#	Docket Text
09/13/2001	1	COMPLAINT (summons(es) issued) case referred to Mag. Judge John A. Gorman (DK, ilcd) (Entered: 09/13/2001)
09/13/2001	2	FILING FEE PAID on 9/13/01 in the amount of \$ 150.00 receipt # R322. (DK, ilcd) (Entered: 09/13/2001)
09/17/2001	3	Notice Concerning WAIVER of Judicial Disqualification issued to parties re: Judge Mihm's nephew Michael Mihm being employed at John Deere. Responses due UNDE SEAL to the Clerk of the Court by misc ddl of 10/01/01 (HK, ilcd) Modified on 09/17/2001 (Entered: 09/17/2001)
09/17/2001		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is setting this case for a Rule 16 conference at 10:00 on Wednesday, 1/9/02 in person in Rock Island. Plaintiff to notify the defendants of this hearing. See Memo. (cc: all counsel) (DK, ilcd) (Entered: 09/17/2001)
09/19/2001	4	RETURN OF SERVICE executed upon defendant Deere &Company on 9/14/01 (DK, ilcd) (Entered: 09/19/2001)
09/19/2001	5	RETURN OF SERVICE executed upon defendant John Deere Harvest on 9/14/01 (DK, ilcd) (Entered: 09/19/2001)
10/04/2001	6	ATTORNEY APPEARANCE for defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 10/04/2001)
10/04/2001	7	MOTION by defendant Deere &Company, defendant John Deere Harvest to extend time to answer or otherwise plead (DK, ilcd) (Entered: 10/04/2001)
10/04/2001	8	NOTICE of filing document # 7 by defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 10/04/2001)
10/04/2001	9	Notice Concerning WAIVER of Judicial Disqualification issued to parties re: Judge Mihm's nephew Michael Mihm being employed at John Deere. Responses due under seal to the Clerk of the Court by misc ddl of 10/18/01 (DK, ilcd) (Entered: 10/04/2001)
10/05/2001	10	ATTORNEY APPEARANCE for defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 10/05/2001)
10/11/2001		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is granting Dft's motion to extend time to answer or otherwise plead [7-1]. Answer or response due 11/5/01 (cc: all counsel) (CM, ilcd) (Entered: 10/12/2001)
10/25/2001	11	ORDER by Judge Michael M. Mihm. Judge Mihm recuses himself from this case. This case is referred to Chief Judge Joe B. McDade for reassignment. (cc: all counsel) (DK, ilcd) (Entered: 10/25/2001)
10/30/2001	12	ORDER by Chief Judge Joe B. McDade. Case is reassigned to Chief Judge Joe B. McDade for all further proceedings. Any further pleadings regarding this matter should be directed to Judge McDade. (cc: all counsel) (DK, ilcd) (Entered: 10/31/2001)
11/05/2001	13	ANSWER/AFFIRMATIVE DEFENSES by defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 11/05/2001)
11/05/2001	14	MOTION by defendant Deere &Company, defendant John Deere Harvest to dismiss Count VI of the complaint (DK, ilcd) (Entered: 11/05/2001)
11/05/2001	15	MEMORANDUM IN SUPPORT of motion to dismiss Count VI of the complaint [14-1] by defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 11/05/2001)
11/05/2001	16	CERTIFICATE OF INTEREST pursuant to Local Rule 11.3 filed by defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 11/05/2001)

11/05/2001	17	ATTORNEY APPEARANCE for defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 11/05/2001)
11/19/2001	18	RESPONSE by plaintiff Connie Griffin, plaintiff Debra Barrett, plaintiff Donna Wilson, plaintiff Ruby Davis, plaintiff Mary Brooks, plaintiff Cheryl Van Dyke, plaintiff Linda Nicholson, plaintiff Margie Pernell, plaintiff Amelia Rose Toolate to motion to dismiss Count VI of the complaint [14-1] (DK, ilcd) (Entered: 11/19/2001)
11/30/2001		MINUTE-ENTRY: by Mag. Judge John A. Gorman. The Court is taking under advisement on 11/30/01 the motion to dismiss Count VI of the complaint [14-1]. (cc: all counsel) (DK, ilcd) (Entered: 11/30/2001)
12/18/2001		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is CANCELLING the Rule 16 hearing previously set on 1/9/02 and RESETTING the Rule 16 conference to 11:00 on Wednesday, 1/16/02 in person in Rock Island. (cc: all counsel) (DK, ilcd) (Entered: 12/18/2001)
01/11/2002	19	MOTION by plaintiff Connie Griffin to amend complaint (DK, ilcd) (Entered: 01/11/2002)
01/16/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Parties present in person with Attys O'Brien/Greve/Mahoney for Rule 16 conference held at 11:00 on 1/16/02 . Court is granting motion to amend complaint [19-1]. Amended complaint to be filed. Motion filing deadline of 6/6/03 for summary judgment motions. Parties are to submit any motion for class certification by 9/1/02. Any expert dealing with the class certification issue shall be deposed in Phase I. Other experts to be deposed in Phase III. Case is set for further Rule 16 conference at 1:00 on Wednesday, 10/16/02 in person in Rock Island to discuss class cert and other issues of discovery still pending. Case is set for final pretrial conference at 11:00 on Friday, 9/5/03 in person in Rock Island. Parties are to meet with the law clerk at 10:00 on that date to discuss jury instructions. Jury trial is set at 9:00 on Monday, 9/29/03 in person in Rock Island. Miscellaneous deadline of 2/6/02 for parties to submit a revised scheduling order incorporating these dates. (cc: all counsel) (DK, ilcd) (Entered: 01/17/2002)
01/16/2002	20	AMENDED COMPLAINT by plaintiff Connie Griffin, plaintiff Debra Barrett, plaintiff Donna Wilson, plaintiff Ruby Davis, plaintiff Mary Brooks, plaintiff Cheryl Van Dyke, plaintiff Linda Nicholson, plaintiff Margie Pernell, plaintiff Amelia Rose Toolate; jury demand [1-1]; adding Mary . Johnson, Donna Dodge, Janet Brown (DK, ilcd) (Entered: 01/22/2002)
01/28/2002	21	ANSWER/AFFIRMATIVE DEFENSES to Amended Complaint by defendant Deere &Company, defendant John Deere Harvest (DK, ilcd) (Entered: 01/28/2002)
02/06/2002	22	REVISED PROPOSED DISCOVERY PLAN filed by plaintiff Connie Griffin, defendant John Deere Harvest (DK, ilcd) (Entered: 02/06/2002)
02/08/2002		ENDORSED ORDER on its face by Mag. Judge John A. Gorman adopting revised discovery plan [22-1]. (cc: all counsel). (DK, ilcd) (Entered: 02/08/2002)
02/22/2002	23	ORDER by Chief Judge Joe B. McDade. Court is finding the motion to dismiss Count VI of the complaint [14-1] moot. Miscellaneous deadline of 3/8/02 for defendant to file an answer to the amended complaint. (cc: all counsel) (DK, ilcd) (Entered: 02/22/2002)
02/27/2002	24	MOTION by defendant Deere &Company for reconsideration of Court's February 22, 2002 order (AP, ilcd) (Entered: 02/27/2002)
03/07/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. On Feb. 22, 2002, this court entered a docket order, finding Deere's motion to dismiss (#14) moot. That order was in erroe and is hereby vacated. The court is reinstating the motion to dismiss Count VI of the complaint [14-1] as is the plaintiff's response (#18) to that motion. Court is taking under advisement on 3/7/02 the motion to dismiss Count VI of the complaint [14-1]. (cc: all counsel) (DK, ilcd) (Entered: 03/07/2002)
03/07/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is granting motion for reconsideration of Court's February 22, 2002 order [24-1]. (cc: all counsel) (DK,

		ilcd) (Entered: 03/07/2002)
06/03/2002	25	CONSENT/ORDER of reference by Chief Judge Joe B. McDade ; this case may proceed before Mag. Judge John A. Gorman with consent of parties (cc: all counsel) (AP, ilcd) (Entered: 06/03/2002)
06/06/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is setting this case for a Fairness Hearing at 1:30 on Monday, 7/1/02 in person in PEORIA. (cc: all counsel) (AP, ilcd) (Entered: 06/07/2002)
06/26/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Telephone conference held this date with counsel for parties. The following schedule has been established by agreement. Parties to file joint motion for certification of class, proposed settlement agreement, and supporting documentation on or before the motion filing deadline of 7/8/02 . Parties to file proposed notice to class on or before the miscellaneous deadline of 7/15/02 . Hearing set at 3:30 on Monday, 7/15/02 in person in PEORIA regarding class certification, preliminary fairness determination, and adequacy of notice. Fairness hearing set at 1:30 on Wednesday, 8/28/02 in person in Rock Island. (cc: counsel) (AP, ilcd) (Entered: 06/26/2002)
06/27/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is RESETTING the Fairness hearing to 2:00 on Wednesday, 8/28/02 in person in Rock Island. The Fairness hearing was previously set at 1:30 on Wednesday, 8/28/02. Note, this is only a change of time. (cc: all counsel) (AP, ilcd) (Entered: 06/27/2002)
07/03/2002	26	MOTION by plaintiff Connie Griffin to certify class action (DK, ilcd) (Entered: 07/03/2002)
07/03/2002	27	MEMORANDUM IN SUPPORT of motion to certify class action [26-1] by plaintiff's Connie Griffin Et Al (DK, ilcd) (Entered: 07/03/2002)
07/15/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Parties present by Atty's O'Brien/Greve/Alamuddin for status hearing held at 3:30 on Monday, 7/15/02 regarding preliminary certification of class and preliminary approval of settlement and notice under FRCP 23. Oral stipulation presented. Preliminary findings of certification and approval made on record. Parties to submit proposed order and amended notice on or before the miscellaneous deadline of 7/18/02. Written order to enter. (cc: all counsel) (AP, ilcd) (Entered: 07/16/2002)
07/22/2002	28	ORDER by Mag. Judge John A. Gorman. The Court finds that the settlement class should be certified conditionally, pending notice to class members described above and subject to review of any objections to the proposed relief and testimony at the Fairness hearing scheduled for August 28, 2002. The Notice is approved and the class is provisionally certified. The class is defined as: All female and African-American employees (including the named plaintiffs) who were employed at Deere Harvester Works at some point during the period of May 4, 2000 and July 15, 2002. Deere shall provide notice via first class mail to all those persons meeting the class definition no later than July 26, 2002. (cc: all counsel) (AP, ilcd) (Entered: 07/23/2002)
08/20/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Court is RESETTING the Fairness hearing to 1:00 on Wed., 10/2/02 in person in Rock Island. The previous setting of 8/28/02 is cancelled. (cc: all counsel) (S, ilcd) (Entered: 08/20/2002)
10/02/2002	29	STIPULATION OF FACTS IN SUPPORT OF JOINT MOTION FOR CLASS CERTIFICATION (AP, ilcd) (Entered: 10/02/2002)
10/02/2002		MINUTE-ENTRY: by Mag. Judge John A. Gorman. Parties present in open court with Attys O'Brien/Greve/Alamuddin for fairness hearing held at 1:00 on Tuesday, 10/2/02 . Stipulation of facts submitted by the parties. Court accepts the stipulation and the finding read into the record by defenses counsel will be reflected in the agreed order to be submitted by the parties on or before the miscellaneous deadline of 10/9/02 . Parties have leave to fax. (cc: all counsel) (AP, ilcd) (Entered: 10/02/2002)
10/16/2002	30	ORDER by Mag. Judge John A. Gorman. Court is granting the motion to certify class action [26-1]. The Court finds that this action was properly certified as a class for settlement pursuant to FRCP 23(b)(3) and accordingly confirms its order

		of 7/22/02. The Court has reviewed the terms of the settlement agreement and specifically finds that its terms are fair, reasonable and adequate to the absent members of the settlement class in light of the merits of this action and other pertinent factors, and that the settlement is in the best interests of said class members. The Court will dismiss this action with prejudice once the time has expired for Deere to void the settlement agreement pursuant to the opt out provision as described in paragraph 5 of the settlement agreement. The deadline for Deere to exercise its option to void the settlement is January 22, 2003. (cc: all counsel) (DK, ilcd) Modified on 10/17/2002 (Entered: 10/16/2002)
01/30/2003	31	ORDER by Mag. Judge John A. Gorman. The parties have settled this action. A fairness hearing has been held, and the settlement has been found fair. The last date for the defendant to opt out of the settlement has passed without opt out. Accordingly, this case is dismissed pursuant to FRCP 41(a). As a condition of this dismissal, the court retains jurisdiction of the case to enforce compliance with the settlement contract. (cc: all counsel) (DK, ilcd) (Entered: 01/30/2003)