

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,**

**Plaintiff,**

**v.**

**CVS PHARMACY, INC.,**

**Defendant.**

**Civil Action No. 1:14-cv-00863**

**Judge William T. Hart**

**JOINT MOTION TO VACATE STATUS CONFERENCE  
AND ENTER FINAL JUDGMENT**

This case was reassigned to Judge Hart following remand by the Seventh Circuit. The Court has scheduled a status conference for December 6, 2018. (Dkt. No. 88.) The parties are in agreement that the only remaining order of business for this Court is to enter a final judgment in accord with the Seventh Circuit's remand instructions. And the parties are in agreement on what that final judgment should say. Accordingly, the parties jointly move to vacate the scheduled status conference and enter the proposed judgment attached hereto.

1. On February 7, 2014, EEOC filed a Complaint (Dkt. No. 1) that alleged that CVS violated Section 707(a) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-6(a).
  2. On October 7, 2014, this Court granted CVS Pharmacy's Motion for Summary Judgment (Dkt. No. 15) and terminated the case. (Dkt. Nos. 32-33.)
  3. The Seventh Circuit affirmed that judgment on December 17, 2015. (Dkt. No. 50.)
  4. CVS Pharmacy then filed a motion for attorneys' fees in this Court. (Dkt. No. 63.)
- The Court granted that motion in part (Dkt. Nos. 70-71), and entered final judgment on February 22, 2017 (Dkt. No. 72).

5. On appeal, the Seventh Circuit reversed this Court's award of attorneys' fees to CVS Pharmacy, with costs, and remanded the case "to enter an amended judgment consistent with this opinion." (Dkt. No. 83.)

6. EEOC filed a bill of costs in the amount of \$489.50. (Dkt. No. 85.)

7. The parties have conferred, and agree that the only remaining task for this Court is to enter an amended final judgment consistent with the Seventh Circuit's directions, denying CVS Pharmacy's motion for attorneys' fees and granting EEOC's bill of costs. The parties have agreed on a proposed judgment to that effect, which is attached to this motion.

WHEREFORE, the parties jointly and respectfully request that this Court (i) vacate the status conference that is scheduled for December 6, 2018, and (ii) enter the proposed judgment attached to this motion.

Dated: November 30, 2018

Respectfully submitted,

CVS PHARMACY, INC.  
/s/ Jacob M. Roth  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on this 30th day of November, 2018.

*/s/ Jacob M. Roth*

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Jacob M. Roth

*Counsel for Defendant CVS Pharmacy, Inc.*