

APPEAL, CLOSED, DECLINE_MJ, JMM, PROTECTIVE_ORDER,
U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:12-cv-00214-bbc
Internal Use Only

Equal Employment Opportunity Commission v. Northern Star
Hospitality, Inc.
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 03/27/2012
Date Terminated: 02/25/2014
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Camille Annette Monahan**
Equal Employment Opportunity
Commission
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Milwaukee, WI 53203-2292
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

Northern Star Hospitality, Inc.
doing business as
Sparx Restaurant

represented by **Michael D. Schwartz**
Michael D. Schwartz, P.A.
Schwartz Law Firm

600 Inwood Ave. N, Suite130
 Oakdale, MN 55128
 651-528-6800
 Email: michael@mdspalaw.com
LEAD ATTORNEY
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Defendant

North Broadway Holdings, Inc.

represented by **Michael D. Schwartz**
 Michael D. Schwartz, P.A.
 Schwartz Law Firm
 600 Inwood Ave. N, Suite 130
 Oakdale, MN 55128
 651-528-6800
 Email: michael@mdspalaw.com
ATTORNEY TO BE NOTICED

Defendant

Northern Star Properties, LLC

represented by **Michael D. Schwartz**
 (See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Northern Star Hospitality, Inc.
TERMINATED: 02/08/2013

represented by **Michael D. Schwartz**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

**Equal Employment Opportunity
 Commission**
TERMINATED: 02/08/2013

represented by **Camille Annette Monahan**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jessica Ann Palmer-Denig
 (See above for address)
LEAD ATTORNEY
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Laurie Ann Vasichek
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Nicholas J. Pladson
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/27/2012	<u>1</u>	COMPLAINT against Northern Star Hospitality, Inc.. Service to be completed by Waiver of Service of Summons., filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> JS-44 Civil Cover Sheet, # <u>2</u> Notice of Lawsuit, # <u>3</u> Waiver of Service of Summons) (Monahan, Camille) Modified exhibit descriptions on 3/28/2012 (mmo). (Entered: 03/27/2012)

03/28/2012		Case randomly assigned to Magistrate Judge Stephen L. Crocker. (krj) (Entered: 03/28/2012)
03/28/2012		Standard attachments for Magistrate Judge Stephen L. Crocker required to be served on all parties with summons or waiver of service: <u>Briefing Guidelines</u> , <u>Corporate Disclosure Statement</u> , <u>Order Regarding Assignment of Civil Cases</u> , <u>Notice of Assignment to a Magistrate Judge and Consent/Request for Reassignment</u> , <u>Order on Dispositive Motions</u> . (krj) (Entered: 03/28/2012)
04/30/2012	<u>2</u>	Request for Issuance of Summons by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 04/30/2012)
04/30/2012	<u>3</u>	Request for Issuance of Summons by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 04/30/2012)
04/30/2012	<u>4</u>	Request for Issuance of Summons by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 04/30/2012)
05/01/2012	<u>5</u>	Summons Issued as to Northern Star Hospitality, Inc. (1827 Broadway Street N), (Attachments: # <u>1</u> Summons – Northern Star Hospitality, Inc. (11205 497th Avenue), # <u>2</u> Summons – Northern Hospitality, Inc. (W10622 State Road 35) (krj) Modified on 5/11/2012 (lj). (Entered: 05/01/2012)
05/31/2012	<u>6</u>	Notice of Appearance filed by Michael D. Schwartz for Defendant Northern Star Hospitality, Inc. (Schwartz, Michael) (Entered: 05/31/2012)
05/31/2012	<u>7</u>	Waiver of Service Returned Executed by Defendant Northern Star Hospitality, Inc.. Northern Star Hospitality, Inc. waiver sent on 5/30/2012, answer due 7/30/2012. (Schwartz, Michael) (Entered: 05/31/2012)
05/31/2012	<u>8</u>	ANSWER with Jury Demand by Defendant Northern Star Hospitality, Inc.. (Schwartz, Michael) (Entered: 05/31/2012)
06/01/2012		Set Telephone Pretrial or Status Conference: Telephone Pretrial Conference set for 6/27/2012 at 01:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [<u>Standing Order Governing Preliminary Pretrial Conference</u> attached] (krj) (Entered: 06/01/2012)
06/21/2012		Reminder to Counsel: If you have not provided your <u>Consent/Request for Reassignment forms</u> , please do so by 6/26/2012. (lak) (Entered: 06/21/2012)
06/21/2012	<u>9</u>	Joint Discovery Plan (Monahan, Camille) (Entered: 06/21/2012)
06/27/2012		Case randomly reassigned to District Judge Barbara B. Crabb and Magistrate Judge Stephen L. Crocker. (lak) (Entered: 06/27/2012)
06/27/2012		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 6/27/2012 [:10] (cak) (Entered: 06/27/2012)
07/03/2012	<u>10</u>	Pretrial Conference Order – Amendments to Pleadings due 9/7/2012. Dispositive Motions due 1/14/2013. Settlement Letters due 6/28/2013. Motions in Limine due 7/5/2013. Response to Motion due 7/19/2013. Final Pretrial Conference set for 8/1/2013 at 04:00 PM. Jury Selection and Trial set for 8/5/2013 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 7/2/2012. (voc) (Entered: 07/03/2012)
09/07/2012	<u>11</u>	AMENDED COMPLAINT against Northern Star Hospitality, Inc., North Broadway Holdings, Inc, North Star Properties, LLC, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Waiver of Service of Summons) (Monahan, Camille) Modified text on 9/10/2012 (krj). (Entered: 09/07/2012)
09/26/2012	<u>12</u>	Declaration of Camille A. Monahan filed by Plaintiff Equal Employment Opportunity Commission <i>In Support to EEOC's Motion to Compel Discovery</i> re: <u>13</u> Motion to Compel by Plaintiff Equal Employment Opportunity Commission. (Attachments:

		<p># <u>1</u> Exhibit A – EEOC's First Set of Discovery Requests, # <u>2</u> Exhibit B – Copy of Defendant's Initial Disclosures, # <u>3</u> Exhibit C – Copy of the email chain dated August 8, 2012, # <u>4</u> Exhibit D – Copy of Defendant's Discovery Responses, # <u>5</u> Exhibit E – Copy of the Menomonie City Council meeting minutes from June 15, 2009, # <u>6</u> Exhibit F – Copy of the Menomonie City Council meeting minutes from August 3, 2009, # <u>7</u> Exhibit G – Copy of the Menomonie City Council meeting minutes from June 20, 2011, # <u>8</u> Exhibit H – Copy of the Menomonie City Council meeting minutes from June 18, 2012, # <u>9</u> Exhibit I – Copy of the Parcel Tax Information record for 2011, # <u>10</u> Exhibit J – Copy of the EEOC's letter dated August 31, 2012, # <u>11</u> Exhibit K – Copy of the Defendant's letter dated September 10, 2012, # <u>12</u> Exhibit L – Copy of Defendant's Notice of Motion and Motion, # <u>13</u> Exhibit M – Copy of the EEOC's letter dated September 13, 2012, # <u>14</u> Exhibit N – Copy of the EEOC's email dated September 24th 2012) (Monahan, Camille) Modified docket text on 9/26/2012. (arw) (Entered: 09/26/2012)</p>
09/26/2012	<u>13</u>	Motion to Compel by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 10/3/2012. (Monahan, Camille) (Entered: 09/26/2012)
09/26/2012	<u>14</u>	Brief in Support of <u>13</u> Motion to Compel by Plaintiff Equal Employment Opportunity Commission (Monahan, Camille) (Entered: 09/26/2012)
09/27/2012		Set/Reset Deadlines as to <u>13</u> Motion to Compel . Response due 10/3/2012. Telephone Motion Hearing set for 10/10/2012 at 11:00 AM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (krj) (Entered: 09/27/2012)
10/01/2012	<u>15</u>	Request for Issuance of Summons by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 10/01/2012)
10/01/2012	<u>16</u>	Request for Issuance of Summons by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 10/01/2012)
10/02/2012	<u>17</u>	Summons Issued as to North Broadway Holdings, Inc. (Main Document), Northern Star Properties, LLC. (Attachments: # <u>1</u> Summons – Northern Star Properties) (krj) (Entered: 10/02/2012)
10/03/2012	<u>18</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>13</u> Motion to Compel filed by Equal Employment Opportunity Commission (Schwartz, Michael) (Entered: 10/03/2012)
10/03/2012	<u>19</u>	Disregard – refiled as <u>20</u> . Modified on 10/4/2012; requested attorney refile with exhibits attached separately and described. (mmo). Modified on 10/5/2012 (krj). (Entered: 10/03/2012)
10/04/2012	<u>20</u>	Declaration of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>13</u> Motion to Compel (Attachments: # <u>1</u> Exhibit Letter to Camille Monahan dated October 2, 2012, # <u>2</u> Exhibit Email from Camille Monahan dated October 2, 2012) (Schwartz, Michael) (Entered: 10/04/2012)
10/09/2012	<u>21</u>	Affidavit of Service by Plaintiff. Northern Star Properties, LLC served on 10/4/2012, answer due 10/25/2012. (Monahan, Camille) (Entered: 10/09/2012)
10/09/2012	<u>22</u>	Affidavit of Service by Plaintiff. North Broadway Holdings, Inc. served on 10/4/2012, answer due 10/25/2012. (Monahan, Camille) (Entered: 10/09/2012)
10/10/2012		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Motion Hearing held on 10/10/2012 [:05] (cak) (Entered: 10/10/2012)

10/10/2012	<u>23</u>	** TEXT ONLY ORDER ** At an October 10, 2012 telephonic hearing, the court denied without prejudice the EEOC's motion to compel discovery <u>13</u> . The parties are to file their jointly proposed protective order not later than October 12, 2012. Defendant North Star Hospitality, Inc. shall provide its responses to the previously–contested discovery as soon as possible but not later than October 19, 2012. Each side will bear its own costs on this motion. Signed by Magistrate Judge Stephen L. Crocker on 10/10/12. (krj) Modified on 10/22/2012 (llj). (Entered: 10/10/2012)
10/12/2012	<u>24</u>	Stipulation for Protective Order by Plaintiff Equal Employment Opportunity Commission. (Monahan, Camille) (Entered: 10/12/2012)
10/15/2012	<u>25</u>	** TEXT ONLY ORDER ** The parties' stipulated protective order <u>24</u> is accepted and entered. Signed by Magistrate Judge Stephen L. Crocker on 10/15/12. (krj) (Entered: 10/15/2012)
10/25/2012	<u>26</u>	ANSWER to Amended Complaint <i>and</i> , COUNTERCLAIM against Equal Employment Opportunity Commission by Defendant Northern Star Hospitality, Inc. d/b/a Sparx Restaurant's ("Sparx Inc."). (Attachments: # <u>1</u> Certificate of Service) (Schwartz, Michael) Modified docket text on 10/26/2012 (mmo). (Entered: 10/25/2012)
10/25/2012	<u>27</u>	Notice of Appearance filed by Michael D. Schwartz for Defendant Northern Star Properties, LLC (Schwartz, Michael) (Entered: 10/25/2012)
10/25/2012	<u>28</u>	ANSWER to Amended Complaint by Defendant Northern Star Properties, LLC. (Attachments: # <u>1</u> Certificate of Service) (Schwartz, Michael) (Entered: 10/25/2012)
10/25/2012	<u>29</u>	Notice of Appearance filed by Michael D. Schwartz for Defendant North Broadway Holdings, Inc. (Schwartz, Michael) (Entered: 10/25/2012)
10/25/2012	<u>30</u>	ANSWER to Amended Complaint by Defendant North Broadway Holdings, Inc.. (Attachments: # <u>1</u> Certificate of Service) (Schwartz, Michael) (Entered: 10/25/2012)
11/08/2012	<u>31</u>	Notice of Appearance filed by Laurie Ann Vasichek for Plaintiff Equal Employment Opportunity Commission (Vasichek, Laurie) (Entered: 11/08/2012)
11/08/2012	<u>32</u>	Notice of Appearance filed by Nicholas J. Pladson for Plaintiff Equal Employment Opportunity Commission (Pladson, Nicholas) (Entered: 11/08/2012)
11/14/2012	<u>33</u>	MOTION TO DISMISS <i>Counterclaim of Defendant</i> by Plaintiff Equal Employment Opportunity Commission. Brief in Opposition due 12/5/2012. Brief in Reply due 12/17/2012. (Monahan, Camille) (Entered: 11/14/2012)
11/14/2012	<u>34</u>	Brief in Support of <u>33</u> Motion to Dismiss by Plaintiff Equal Employment Opportunity Commission (Monahan, Camille) (Entered: 11/14/2012)
11/14/2012	<u>35</u>	Certificate of Service by Plaintiff Equal Employment Opportunity Commission (Monahan, Camille) (Entered: 11/14/2012)
12/05/2012	<u>36</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>33</u> Motion to Dismiss filed by Equal Employment Opportunity Commission (Schwartz, Michael) (Entered: 12/05/2012)
12/05/2012	<u>37</u>	Affidavit of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>in Support of Northern Star Hospitality, Inc. d/b/a Sparx Restaurant's Brief in Opposition of re: 33</i> Motion to Dismiss (Attachments: # <u>1</u> Exhibit Ex. 1 Relevant Deposition pages of Dion Miller, # <u>2</u> Exhibit Ex. 2 of Dion Miller's Deposition Press Release) (Schwartz, Michael) Modified on 12/6/2012; requested attorney file full/condensed deposition. (mmo). (Entered: 12/05/2012)
12/06/2012	<u>38</u>	Deposition of Dion Miller taken on 11–15–12 (Attachments: # <u>1</u> Exhibit Ex. 1 List of Companies, # <u>2</u> Exhibit Ex. 2 Press Release,

		<p># <u>3</u> Exhibit Ex. 3 Ltr from EEOC, # <u>4</u> Exhibit Ex. 4 Hasselhoff photo, # <u>5</u> Exhibit Ex. 5 Coleman photo, # <u>6</u> Exhibit Ex. 6 Dollar bill photo, # <u>7</u> Exhibit Ex. 7 Weekly work Search Log, # <u>8</u> Exhibit Ex. 8 Weekly Work Search Log, # <u>9</u> Exhibit Ex. 9 ltr from EEOC, # <u>10</u> Exhibit Ex. 10 Charge of Discrimination (sealed document), # <u>11</u> Exhibit Ex. 11 EEOC Intake Questionnaire (sealed document), # <u>12</u> Exhibit Ex. 12 Statement, # <u>13</u> Exhibit Ex. 13 Employee Handbook, # <u>14</u> Exhibit Ex. 14 Claimant Statement, # <u>15</u> Exhibit Ex. 15 Organization Chart) (Schwartz, Michael) Sealed exhibits 10 and 11 on 12/11/2012 (krj). (Entered: 12/06/2012)</p>
12/10/2012	<u>39</u>	Exhibit #10 to <u>38</u> Deposition, <i>Redacted Exhibits to Dion Miller Deposition Transcript</i> (Attachments: # <u>1</u> Exhibit 11 – Intake Questionnaire) (Schwartz, Michael) Modified docket text on 12/11/2012 (mmo). (Entered: 12/10/2012)
12/14/2012	<u>40</u>	Brief in Reply by Plaintiff Equal Employment Opportunity Commission in Support of <u>33</u> Motion to Dismiss (Attachments: # <u>1</u> Certificate of Service) (Monahan, Camille) (Entered: 12/14/2012)
01/14/2013	<u>41</u>	MOTION FOR SUMMARY JUDGMENT by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. Brief in Opposition due 2/4/2013. Brief in Reply due 2/14/2013. (Schwartz, Michael) (Entered: 01/14/2013)
01/14/2013	<u>42</u>	Brief in Support of <u>41</u> Motion for Summary Judgment by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 01/14/2013)
01/14/2013	<u>43</u>	Affidavit of Brandon M. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>41</u> Motion for Summary Judgment. (<u>Sealed Document</u>) (Attachments: # <u>1</u> Exhibit A – Deposition transcript Dion Miller, # <u>2</u> Exhibit B – Deposition transcript Thomas Nesheim, see <u>44</u> , # <u>3</u> Exhibit C – Deposition transcript of Kim Deasy, see <u>45</u> # <u>4</u> Exhibit D – Sparx Organization, # <u>5</u> Exhibit E – David Hasselhoff Note, # <u>6</u> Exhibit F – Jarmuzek Deposition Transcript, see <u>46</u> # <u>7</u> Exhibit G – Employee Handbook Excerpt, # <u>8</u> Exhibit H – Employee Handbook Excerpt, # <u>9</u> Exhibit I – Employee Handbook Excerpt, # <u>10</u> Exhibit J – Statement of Tom Nesheim, # <u>11</u> Exhibit K – Statement of Kim Deasy, # <u>12</u> Exhibit L – EEOC Response to Req. for Admissions, # <u>13</u> Exhibit M – Employee Discussion Form, # <u>14</u> Exhibit N – Case) (Schwartz, Michael) Modified on 1/15/2013; requested attorney file Exhibits B,C and F (Depositions) as separate documents in Full/Condensed format with any exhibits attached separately and described. (Exhibit A already filed as entry <u>38</u>) (mmo). Sealed document on 1/28/2013 per court order. (krj) (Entered: 01/14/2013)
01/15/2013	<u>44</u>	Deposition of Tom Nesheim taken on 1/8/13 (Exhibit B) to <u>43</u> Affidavit filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. (<u>Sealed Document</u>) (Attachments: # <u>1</u> Exhibit 1 – Nesheim Depo Photograph, # <u>2</u> Exhibit 2 – Nesheim Depo Employee Discussion Form) (Schwartz, Michael) Modified docket text on 1/16/2013 (mmo). Sealed document on 1/28/2013 per court order. (krj) (Entered: 01/15/2013)
01/15/2013	<u>45</u>	Deposition of Kim Deasy taken on 1/9/13 (Exhibit C) to <u>43</u> Affidavit filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. (Attachments:

		# <u>1</u> Exhibit 1 – Deasy Sparx Organization Chart, # <u>2</u> Exhibit 2 – Deasy Sparx Organization Chart, # <u>3</u> Exhibit 3 – Deasy Statement from Deasy, # <u>4</u> Exhibit 4 – Deasy Statement from Deasy, # <u>5</u> Exhibit 5 – Deasy Employer Statement, # <u>6</u> Exhibit 6 – Deasy Fax Cover Sheet) (Schwartz, Michael) Modified docket text on 1/16/2013 (mmo). (Entered: 01/15/2013)
01/15/2013	<u>46</u>	Deposition of Christopher Jarmuzek taken on 1/11/13 (Exhibit F) to <u>43</u> Affidavit filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. <u>Sealed Document</u>) (Attachments: # <u>1</u> Exhibit 1 – Jarmuzek photograph) (Schwartz, Michael) Modified docket text on 1/16/2013 (mmo). Sealed document on 1/28/2013 per court order. (krj) (Entered: 01/15/2013)
01/25/2013	<u>47</u>	Notice of Appearance filed by Jessica Ann Palmer–Denig for Plaintiff Equal Employment Opportunity Commission (Palmer–Denig, Jessica) (Entered: 01/25/2013)
01/28/2013	<u>48</u>	Motion to Seal Document <i>43, 44 and 46 previously filed</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. Motions referred to Magistrate Judge Stephen L. Crocker. (Schwartz, Michael) (Entered: 01/28/2013)
01/28/2013	<u>49</u>	Deposition of Thomas Nesheim taken on January 8, 2013 <i>Ex. B to #43 Redacted</i> (Schwartz, Michael) (Entered: 01/28/2013)
01/28/2013	<u>50</u>	Deposition of Chris Jarmuzek taken on January 11, 2013 <i>Ex. F to #43 Redacted</i> (Schwartz, Michael) (Entered: 01/28/2013)
01/28/2013	51	** TEXT ONLY ORDER ** ORDER granting <u>48</u> Motion to Seal Documents. Signed by Magistrate Judge Stephen L. Crocker on 1/28/13. (krj) (Entered: 01/28/2013)
02/04/2013	<u>52</u>	Brief in Opposition by Plaintiff Equal Employment Opportunity Commission re: <u>41</u> Motion for Summary Judgment filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>53</u>	Declaration of Laurie A. Vasichек filed by Plaintiff Equal Employment Opportunity Commission <i>in Opposition</i> re: <u>41</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit A – memo from Deasy to EEOC, # <u>2</u> Exhibit B – file copy of Defendants' position statement, # <u>3</u> Exhibit C – Defendant's Answer to the EEOC's First Set of Interrogatories, # <u>4</u> Exhibit D – termination notice) (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>54</u>	Deposition of Kim M. Deasy taken on 01/09/2013 (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>55</u>	Deposition of Thomas J. Nesheim taken on 01/08/2013 <i>date of birth redacted</i> (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>56</u>	Declaration of Dion Miller filed by Plaintiff Equal Employment Opportunity Commission <i>in Opposition</i> re: <u>41</u> Motion for Summary Judgment (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>57</u>	Declaration of Amber Malean filed by Plaintiff Equal Employment Opportunity Commission <i>in Opposition</i> re: <u>41</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit A – cell phone pictures) (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>58</u>	Response to Proposed Findings of Fact filed by Plaintiff Equal Employment Opportunity Commission re: <u>41</u> Motion for Summary Judgment (Vasichек, Laurie) (Entered: 02/04/2013)
02/04/2013	<u>59</u>	Proposed Findings of Fact filed by Plaintiff Equal Employment Opportunity Commission re: <u>41</u> Motion for Summary Judgment (Vasichек, Laurie) (Entered: 02/04/2013)

02/05/2013	<u>60</u>	Proposed Findings of Fact filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>41</u> Motion for Summary Judgment (Schwartz, Michael) (Entered: 02/05/2013)
02/05/2013	<u>61</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re <u>60</u> Proposed Findings of Fact . (Schwartz, Michael) (Entered: 02/05/2013)
02/06/2013	<u>62</u>	Supplemental Response to Proposed Findings of Fact filed by Plaintiff Equal Employment Opportunity Commission re: <u>41</u> Motion for Summary Judgment (Vasichек, Laurie) (Entered: 02/06/2013)
02/08/2013	<u>63</u>	ORDER granting <u>33</u> Motion to Dismiss counterclaim. Signed by District Judge Barbara B. Crabb on 2/8/13. (krj) (Entered: 02/08/2013)
02/14/2013	<u>64</u>	Response to Proposed Findings of Fact filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>41</u> Motion for Summary Judgment (Schwartz, Michael) (Entered: 02/14/2013)
02/14/2013	<u>65</u>	Brief in Reply by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC in Support of <u>41</u> Motion for Summary Judgment (Schwartz, Michael) (Entered: 02/14/2013)
02/14/2013	<u>66</u>	Affidavit of Brandon M. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>41</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit Ex. A Evan Openshaw Statement.pdf, # <u>2</u> Exhibit Ex. B Organization Chart.pdf, # <u>3</u> Exhibit Ex. C Kim Deasy Statement.pdf) (Schwartz, Michael) (Entered: 02/14/2013)
05/09/2013	<u>67</u>	ORDER granting in part and denying in part <u>41</u> Motion for Summary Judgment. Motion granted with respect to harassment claim; denied in all other respects. Signed by District Judge Barbara B. Crabb on 5/9/13. (krj) (Entered: 05/09/2013)
05/24/2013	<u>68</u>	Motion to Compel <i>Discovery from Defendants</i> by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. Response due 5/31/2013. (Vasichек, Laurie) (Entered: 05/24/2013)
05/24/2013	<u>69</u>	Redacted Brief in Support of <u>68</u> Motion to Compel by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 05/24/2013)
05/24/2013	<u>70</u>	Declaration of Laurie A. Vasichек filed by Plaintiff Equal Employment Opportunity Commission re: <u>68</u> Motion to Compel (Attachments: # <u>1</u> Exhibit A – Defendants' interrogatory responses, # <u>2</u> Exhibit B – Defendants' response to document requests, # <u>3</u> Exhibit C – correspondence from EEOC to Defendants, # <u>4</u> Exhibit D – correspondence from EEOC to Defendants, # <u>5</u> Exhibit E – REDACTED correspondence from EEOC to Defendants, # <u>6</u> Exhibit F – REDACTED correspondence from Defendants to EEOC, # <u>7</u> Exhibit G – correspondence from EEOC to Defendants, # <u>8</u> Exhibit H – REDACTED correspondence from Defendants to EEOC, # <u>9</u> Exhibit I – correspondence from Defendants to EEOC, # <u>10</u> Exhibit J – email from EEOC to Defendants, # <u>11</u> Exhibit K – email from EEOC to Defendants, # <u>12</u> Exhibit L – Notice of Rule 30(b)(6) Deposition) (Vasichек, Laurie) (Entered: 05/24/2013)
05/24/2013	<u>71</u>	Deposition of Michael D. Schwartz, taken on 01/04/2013 <i>under Rule 30(b)(6)</i> (Vasichек, Laurie) Modified on 5/28/2013 (krj). (Entered: 05/24/2013)
05/24/2013	<u>72</u>	Redacted Motion to Seal by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. (Vasichек, Laurie) (Entered: 05/24/2013)
05/24/2013	<u>73</u>	Sealed Motion <i>to Seal (Sealed Document)</i> by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. (Vasichек, Laurie) (Entered: 05/24/2013)

05/24/2013	<u>74</u>	Brief in Support of <u>68</u> Motion to Compel by Plaintiff Equal Employment Opportunity Commission (Sealed Document) (Vasichек, Laurie) (Entered: 05/24/2013)
05/24/2013	<u>75</u>	Exhibit to <u>70</u> Declaration of Laurie A. Vasichек filed by Equal Employment Opportunity Commission <i>Exhibit E – correspondence from EEOC to Defendants</i> (Sealed Document) (Attachments: # <u>1</u> Exhibit F – correspondence from Defendants to EEOC, # <u>2</u> Exhibit H – correspondence from Defendants to EEOC) (Vasichек, Laurie) Modified on 5/28/2013 (krj). (Entered: 05/24/2013)
05/24/2013	76	** TEXT ONLY ORDER ** ORDER granting <u>73</u> Motion to seal brief in support of <u>68</u> motion to compel. Signed by Magistrate Judge Stephen L. Crocker on 5/24/13. (krj) (Entered: 05/24/2013)
05/24/2013		Set/Reset Deadlines as to <u>68</u> Motion to Compel <i>Discovery from Defendants</i> . Response due 5/31/2013. Telephone Motion Hearing set for 6/6/2013 at 02:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264–5153. (krj) (Entered: 05/24/2013)
05/31/2013	<u>77</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>68</u> Motion to Compel filed by Equal Employment Opportunity Commission (Schwartz, Michael) (Entered: 05/31/2013)
05/31/2013	<u>78</u>	Affidavit of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>68</u> Motion to Compel (Attachments: # <u>1</u> Exhibit A – Deft's Answers to Interrogatories, # <u>2</u> Exhibit B – 5/29/13 EEOC Req. for Admissions to Sparx, # <u>3</u> Exhibit C – 5/29/13 EEOC Req. for Admissions to North Broadway, # <u>4</u> Exhibit D – Deft's Responses to EEOC's Fourth Req. for Production of Docs., # <u>5</u> Exhibit E – Correspondence) (Schwartz, Michael) Modified exhibit descriptions on 6/3/2013 (mmo). (Entered: 05/31/2013)
06/06/2013		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Motion Hearing held on 6/6/2013 [:55] (Court Reporter LS) (cak) (Entered: 06/06/2013)
06/07/2013	79	** TEXT ONLY ORDER ** At a June 6, 2013 telephonic hearing, the court stayed a final decision on plaintiff's motion to compel discovery and to shift costs (dkt. <u>68</u>), pending the parties' implementation of the discovery procedures directed by the court in response to the parties' input. The court has left the details to the parties to work out, but is available on short notice to referee any additional implementation disputes that crop up. It will be up to plaintiff to advise the court if it wishes to pursue its motion following implementation of the directed discovery procedures. Signed by Magistrate Judge Stephen L. Crocker on 6/6/13. (krj) (Entered: 06/07/2013)
06/10/2013	<u>80</u>	Transcript of telephone motion hearing, held 6/6/13 before Magistrate Judge Stephen L. Crocker. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see Electronic Transcript Instructions and Notice of Intent to Request Redaction . (krj) (Entered: 06/10/2013)
06/11/2013		Set Deadlines and Hearings re: <u>68</u> Motion to Compel <i>Discovery</i> by Plaintiff Equal Employment Opportunity Commission. Telephone Motion Hearing/Status Conference set for 6/14/2013 at 2:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264–5153. (arw) (Entered: 06/11/2013)
06/11/2013		Reset Deadlines and Hearings re: <u>68</u> Motion to Compel <i>Discovery</i> by Plaintiff Equal Employment Opportunity Commission. Telephone Motion Hearing reset from 2:00 PM to 11:00 AM on 6/14/2013. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264–5153. (arw) (Entered: 06/11/2013)

06/13/2013	<u>81</u>	Notice <i>re filing motion to quash in District of South Carolina</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC . (Attachments: # <u>1</u> Exhibit 1. Notice of Appearance for Christopher Brekken filed in South Carolina, # <u>2</u> Exhibit 2. EEOC's Subpoena Duces Tecum to Denny's Corporation, # <u>3</u> Exhibit 3. EEOC's Affidavit of Service, # <u>4</u> Exhibit 4. Christopher Brekken's Notice of Motion and Motion to Quash filed in South Carolina) (Schwartz, Michael) Modified text on 6/13/2013 (krj). (Entered: 06/13/2013)
06/13/2013	<u>82</u>	Disregard – refiled as entry <u>83</u> ; Modified docket text on 6/14/2013; attorney refiled with exhibits attached. (mmo). (Entered: 06/13/2013)
06/13/2013	<u>83</u>	Declaration of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: 79 Text Only Order, <u>68</u> Motion to Compel (Attachments: # <u>1</u> Exhibit A – picture of access card and key, # <u>2</u> Exhibit B – picture of table and chairs, # <u>3</u> Exhibit C – picture of restrooms, # <u>4</u> Exhibit D – picture of water fountain, # <u>5</u> Exhibit E – picture of vending machines, # <u>6</u> Exhibit G – voicemail transcription from EEOC attorney June 8, 2012 voicemail, # <u>7</u> Exhibit I – June 12, 2013, correspondence regarding NightOwl copying, # <u>8</u> Exhibit J – receipt of custody to NightOwl, # <u>9</u> Exhibit K – June 12, 2013, letter and affidavit of service regarding tax returns, # <u>10</u> Exhibit L – June 12, 2013 letter serving detailed descriptions) (Schwartz, Michael) Modified exhibit descriptions on 6/14/2013; Exhibit F filed under entry <u>87</u> , contacted attorney – no Exhibit H to be filed. (mmo). (Entered: 06/13/2013)
06/13/2013	<u>84</u>	Declaration of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: 79 Text Only Order, <u>68</u> Motion to Compel. (Sealed Document) (Attachments: # <u>1</u> Exhibit M – June 12, 2013, letter with list of active and terminated employees) (Schwartz, Michael) Sealed per order on 6/19/2013 (krj). (Entered: 06/13/2013)
06/13/2013	<u>85</u>	Declaration of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: 79 Text Only Order, <u>68</u> Motion to Compel . (Attachments: # <u>1</u> Exhibit REDACTED Exhibit M – June 12, 2013 letter with active and terminated list of employees) (Schwartz, Michael) Modified on 6/19/2013 (krj). (Entered: 06/13/2013)
06/13/2013	<u>86</u>	Motion to Seal <u>84</u> <i>Exhibit M to Declaration of Michael D. Schwartz</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. Motions referred to Magistrate Judge Stephen L. Crocker. (Schwartz, Michael) Modified text on 6/19/2013 (krj). (Entered: 06/13/2013)
06/13/2013	<u>87</u>	Declaration of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>86</u> Motion to Seal Document, 79 Text Only Order, <u>68</u> Motion to Compel. (Attachments: # <u>1</u> Exhibit F – Photos, reduced number of pictures due to size restrictions illustrating document production) (Schwartz, Michael) Modified docket text on 6/14/2013 (mmo). (Entered: 06/13/2013)
06/14/2013	<u>88</u>	Exhibit F to <u>83</u> Declaration, filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. <i>Exhibit F – Additional Pictures of arrangement of boxes</i> (Schwartz, Michael) Modified docket text on 6/14/2013 (mmo). (Entered: 06/14/2013)
06/14/2013		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Motion Hearing held on 6/14/2013 [:45] (cak) (Entered: 06/14/2013)
06/19/2013	<u>89</u>	Motion to Bifurcate <i>Court and Jury Trial</i> by Plaintiff Equal Employment Opportunity Commission. Response due 6/26/2013. (Vasichek, Laurie) (Entered: 06/19/2013)

		06/19/2013)
06/19/2013	<u>90</u>	Brief in Support of <u>89</u> Motion to Bifurcate <i>Court and Jury Trial</i> by Plaintiff Equal Employment Opportunity Commission (Vasichok, Laurie) (Entered: 06/19/2013)
06/19/2013	<u>91</u>	Transcript of telephone motion hearing, held 6/14/13 before Magistrate Judge Stephen L. Crocker. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 06/19/2013)
06/19/2013	92	** TEXT ONLY ORDER ** ORDER granting <u>86</u> Motion to Seal. Signed by Magistrate Judge Stephen L. Crocker on 6/19/13. (krj) (Entered: 06/19/2013)
06/26/2013	<u>93</u>	Brief in Response Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re <u>89</u> Motion to Bifurcate <i>Court and Jury Trial</i> (Schwartz, Michael) Modified event on 6/27/2013 (krj). (Entered: 06/26/2013)
06/28/2013	94	** TEXT ONLY ORDER ** In light of the court's decision to bifurcate and reschedule the trial(s) in this case, the parties' July 5 and July 19, 2013 submission deadlines are STRICKEN and will be reset—along with the jury trial date—at a telephonic scheduling conference with the Magistrate Judge on 7/3/2013 at 2:00 PM. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. Signed by Magistrate Judge Stephen L. Crocker on 6/28/2013. (lak) (Entered: 06/28/2013)
06/28/2013		Set/Reset Trial Deadlines/Hearings: Court Trial set for 8/12/2013 at 9:00 AM. (lak) (Entered: 06/28/2013)
07/03/2013		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Scheduling Conference held on 7/3/2013 [:15] (skv) (Entered: 07/03/2013)
07/03/2013	95	** TEXT ONLY ORDER ** At a July 3, 2013 telephonic conference, the court directed the parties to follow the court's procedure governing bench trials (attached to dkt. 10) when submitting materials in anticipation of their bench trial. We calendared the jury trial as follows: first submissions due by August 12, 2013, responses due by August 26, 2013, final pretrial conference on September 5, 2013 at 4:00 p.m. (presumptively in person), jury selection and trial to begin September 16, 2013 at 9:00 a.m. The parties predict a two or three day trial. Signed by Magistrate Judge Stephen L. Crocker on 7/3/2013. (voc) (Entered: 07/03/2013)
07/03/2013		Set/Reset Trial Deadlines/Hearings: Final Pretrial Conference set for 9/5/2013 at 04:00 PM. (voc) (Entered: 07/03/2013)
07/31/2013	<u>96</u>	Motion in Limine <i>for Admission of Deposition Testimony</i> by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 07/31/2013)
08/01/2013	<u>97</u>	Motion in Limine <i>Regarding The EEOC'S Failure to Satisfy the Conditions Precedent to this Title VII Action</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC, Counter Claimant Northern Star Hospitality, Inc.. (Schwartz, Michael) (Entered: 08/01/2013)
08/01/2013	<u>98</u>	Affidavit of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC, Counter Claimant Northern Star Hospitality, Inc. re: <u>97</u> Motion in Limine, (Attachments: # <u>1</u> Exhibit A – Amended Answer to First Amended Complaint, # <u>2</u> Exhibit B – REDLINE Amended Answer to Amended Complaint, # <u>3</u> Exhibit C – Email and Letter from Vasichok to Michael Schwartz dated 7-31-13) (Schwartz, Michael) Modified on 8/2/2013; requested attorney refile Exhibit C due to illegible pages 4-6. (mmo). Modified on 8/6/2013. Illegible pages to exhibit C stored in exhibit room. (voc). (Entered: 08/01/2013)

08/05/2013	<u>99</u>	Brief in Opposition by Plaintiff Equal Employment Opportunity Commission re: <u>97</u> Motion in Limine, filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. (Palmer-Denig, Jessica) (Entered: 08/05/2013)
08/05/2013	<u>100</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC, Counter Claimant Northern Star Hospitality, Inc. re: <u>96</u> Motion in Limine filed by Equal Employment Opportunity Commission (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>101</u>	Joint Final Pretrial Conference Report by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/05/2013)
08/05/2013	<u>102</u>	Proposed Findings of Fact by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/05/2013)
08/05/2013	<u>103</u>	Deposition Designations by Plaintiff Equal Employment Opportunity Commission. (Vasichек, Laurie) (Entered: 08/05/2013)
08/05/2013	<u>104</u>	Proposed Special Verdict – <i>for Court Trial</i> by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/05/2013)
08/05/2013	<u>105</u>	Disregard – refiled as entry <u>114</u> ; Modified on 8/6/2013; requested attorney refile on court form. (mmo). (Entered: 08/05/2013)
08/05/2013	<u>106</u>	Exhibit List <i>Conditions Precedent to Suit</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>107</u>	Exhibit List by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>108</u>	Proposed Special Verdict – Liability by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>109</u>	Proposed Findings of Fact by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>110</u>	Deposition Designations by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>111</u>	Amended Exhibit List <i>Conditions Precedent to Suit</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>112</u>	Amended Exhibit List by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/05/2013)
08/05/2013	<u>113</u>	Proposed Findings of Fact – Successor Liability, Single Employer and Industry affecting Interstate Commerce by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) Modified docket text on 8/6/2013 (mmo). (Entered: 08/05/2013)
08/06/2013	<u>114</u>	Exhibit List by Plaintiff Equal Employment Opportunity Commission. (Vasichек, Laurie) (Entered: 08/06/2013)
08/06/2013	<u>115</u>	Motion in Limine <i>to Exclude Defendant from Calling Undisclosed or Late Disclosed Witnesses</i> by Plaintiff Equal Employment Opportunity Commission. (Vasichек, Laurie) (Entered: 08/06/2013)
08/06/2013	<u>116</u>	Amended Exhibit List by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/06/2013)

08/07/2013	<u>117</u>	Trial Brief by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/07/2013)
08/07/2013	<u>118</u>	Trial Brief by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Attachments: # <u>1</u> Exhibit A – Black's Law Dictionary Definition) (Schwartz, Michael) (Entered: 08/07/2013)
08/08/2013	<u>119</u>	Amended Exhibit List by Plaintiff Equal Employment Opportunity Commission. (Vasichek, Laurie) (Entered: 08/08/2013)
08/09/2013	<u>120</u>	Deposition of Alexander Rivet taken on 6/13/2013 (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>121</u>	Deposition of Christopher Brekken taken on 7/2/2013 <i>30(b)(6) North Broadway Holdings (Sealed Document)</i> (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>122</u>	Deposition of Randy Krautkramer taken on 7/2/2013 <i>30(b)(6) North Broadway Holdings (Sealed Document)</i> (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>123</u>	Deposition of Christopher J. Brekken taken on 6/14/2013 (<i>Sealed Document</i>) (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>124</u>	Deposition of Christopher Brekken taken on 7/2/2013 (<i>Sealed Document</i>) (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>125</u>	Deposition of Angela Barrett taken on 7/11/2013 <i>Denny's Corporation (Sealed Document)</i> (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>126</u>	Motion to Seal <i>Document Nos. 121, 122, 123, 124, and 125</i> by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. (Vasichek, Laurie) (Entered: 08/09/2013)
08/09/2013	<u>127</u>	Amended Exhibit List by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/09/2013)
08/09/2013	128	** TEXT ONLY ORDER ** The EEOC's motion to submit specified depositions under seal at defendants' request, dkt. <u>126</u> , is GRANTED, subject to being revisited at the bench trial. Signed by Magistrate Judge Stephen L. Crocker on 8/9/2013. (arw) (Entered: 08/09/2013)
08/09/2013	<u>129</u>	Witness List (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>130</u>	Exhibit List (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>131</u>	Deposition Designations (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>132</u>	Proposed Voir Dire by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>133</u>	Proposed Jury Instructions – Liability and Damages by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>134</u>	Proposed Special Verdict – Liability (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>135</u>	Proposed Special Verdict – Damages (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>136</u>	Motion in Limine (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 08/09/2013)
08/09/2013	<u>137</u>	Declaration of Jessica Palmer-Denig filed by Plaintiff Equal Employment Opportunity Commission re: <u>136</u> Motion in Limine (Attachments:

		# <u>1</u> Exhibit A – Fax (Palmer–Denig, Jessica) Modified exhibit description on 8/12/2013 (mmo). (Entered: 08/09/2013)
08/11/2013	<u>138</u>	Motion to Strike <u>117</u> Trial Brief by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. Response due 8/19/2013. (Schwartz, Michael) (Entered: 08/11/2013)
08/11/2013	<u>139</u>	Brief in Support of <u>138</u> Motion to Strike <i>Trial Brief</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/11/2013)
08/12/2013	<u>140</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: 1st Day Court Trial held on 8/12/2013 Briefing set. [4:27] (Court Reporter LS.) (voc) (Entered: 08/12/2013)
08/12/2013	<u>141</u>	Proposed Special Verdict – Damages by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>142</u>	Proposed Special Verdict – Liability by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>143</u>	Proposed Jury Instructions – Liability and Damages by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>144</u>	Motion in Limine <i>Relating to the Jury Trial</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>145</u>	Proposed Voir Dire by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>146</u>	Rule 26(a)(3) Pretrial Disclosures by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/12/2013)
08/12/2013	<u>147</u>	Disregard – refiled as entry <u>148</u> ; Modified on 8/13/2013; requested attorney refile on court form. (mmo). (Entered: 08/12/2013)
08/13/2013	<u>148</u>	Exhibit List (<i>Jury Trial</i>) by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/13/2013)
08/15/2013	<u>149</u>	Transcript of court trial, morning session, held 8/12/13 before Judge Barbara B. Crabb. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) Modified on 8/16/2013 (krj). (Entered: 08/15/2013)
08/16/2013	<u>150</u>	Transcript of court trial, afternoon session, held 8/12/13 before Judge Barbara B. Crabb. Court Reporter: CS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 08/16/2013)
08/20/2013	<u>151</u>	Objection to Rule 26(a)(3) Designations of Witnesses by Plaintiff Equal Employment Opportunity Commission (Palmer–Denig, Jessica) Modified on 8/26/2013 (rep). (Entered: 08/20/2013)
08/20/2013	<u>152</u>	ORDER granting <u>96</u> Motion for admission of deposition testimony of Chris Brekken, Randy Krautkramer, Kim Deasy, Chris Jarmuzek and Alex Rivet; denying <u>97</u> Motion to dismiss re failure to comply with Title VII's conditions precedent; granting <u>115</u> Motion to bar defendant from calling Lisa Donnerbauer, Donna Brey and Marian Drew; denying <u>138</u> Motion to Strike portions of plaintiff's trial brief; denying defendants' motion to dismiss case; denying defendants' motion to dismiss Northern Star Properties and North Broadway Holdings, Inc. Signed by

		District Judge Barbara B. Crabb on 8/20/12. (krj) (Entered: 08/20/2013)
08/26/2013	<u>153</u>	Objections to Trial Exhibits (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>154</u>	Objections to <u>141</u> Proposed Special Verdict, <u>142</u> Proposed Special Verdict by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>155</u>	Objection to Rule 26(a)(3) Designations of deposition testimony by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) Modified text on 8/26/2013 (krj). (Entered: 08/26/2013)
08/26/2013	<u>156</u>	Brief in Opposition by Plaintiff Equal Employment Opportunity Commission re: <u>144</u> Motion in Limine filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. <i>Relating to the Jury Trial</i> (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>157</u>	Amended Deposition Designations (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>158</u>	Objections to <u>143</u> Proposed Jury Instructions by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>159</u>	Objections to <u>145</u> Proposed Voir Dire by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 08/26/2013)
08/26/2013	<u>160</u>	Objection to Plaintiff's Proposed Witness List, Rule 26(a)(3) Designations by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) Modified on 8/27/2013 (mmo). (Entered: 08/26/2013)
08/26/2013	<u>161</u>	Objections to <u>132</u> Proposed Voir Dire by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/26/2013)
08/26/2013	<u>162</u>	Objections to <u>133</u> Proposed Jury Instructions by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) (Entered: 08/26/2013)
08/26/2013	<u>163</u>	Objections to Trial Exhibits by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 08/26/2013)
08/26/2013	<u>164</u>	Objections to <u>135</u> Proposed Special Verdict on Damages by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) Modified docket text on 8/27/2013 (mmo). (Entered: 08/26/2013)
08/26/2013	<u>165</u>	Objections to <u>134</u> Proposed Special Verdict on Liability by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC (Schwartz, Michael) Modified docket text on 8/27/2013 (mmo). (Entered: 08/26/2013)
08/26/2013	<u>166</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>136</u> Motion in Limine filed by Equal Employment Opportunity Commission (Schwartz, Michael) (Entered: 08/26/2013)
09/05/2013	<u>167</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: Final Pretrial Conference held on 9/5/2013. Trial predicted to last 4 days. 14 jurors will be called forward. 8 jurors will be empaneled. [:38] Attention: In the event of a settlement of this matter over the weekend, counsel are advised to contact the Clerk of Court at (608) 287-4875 or the Chief Deputy Clerk at (608) 354-8004. (Court Reporter CS.) (krj) (Entered: 09/05/2013)
09/06/2013	<u>168</u>	Final Pretrial Conference Order. Signed by District Judge Barbara B. Crabb on 9/6/13. (krj) (Entered: 09/06/2013)

09/10/2013	<u>169</u>	Transcript of Final Pretrial Conference, held 9/5/2013 before Judge Barbara B. Crabb. Court Reporter: CS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (voc) (Entered: 09/10/2013)
09/11/2013	<u>170</u>	Amended Exhibit List (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 09/11/2013)
09/11/2013	<u>171</u>	Deposition Designations (<i>Second Amended</i>) (<i>Jury Trial</i>) by Plaintiff Equal Employment Opportunity Commission. (Palmer-Denig, Jessica) (Entered: 09/11/2013)
09/11/2013	<u>172</u>	Objections to Trial Exhibits by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>173</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>Defendants' Submission Regarding the Court's Introductory Instruction</i> . (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>174</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>Defendants' Supplemental Submission Regarding Pretext Instruction</i> . (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>175</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>Defendants' Supplemental Submission Regarding "Cat's Paw" Instruction</i> . (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>176</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>Defendants' Supplemental Submission Regarding "But For" Special Verdict</i> . (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>177</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re <u>171</u> Deposition Designations <i>Defendants' Obejctions to the EEOC's Second Amended Designation of Deposition Testimony</i> . (Schwartz, Michael) (Entered: 09/11/2013)
09/11/2013	<u>178</u>	Amended Deposition Designations by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 09/11/2013)
09/12/2013	<u>179</u>	Amended Exhibit List for <i>Jury Trial</i> by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (Schwartz, Michael) (Entered: 09/12/2013)
09/13/2013	<u>180</u>	Objections to <i>Defendants' Supplemental Submissions (Dkt 173-176)</i> by Plaintiff Equal Employment Opportunity Commission (Vasichek, Laurie) (Entered: 09/13/2013)
09/13/2013	<u>181</u>	Objection to <u>178</u> Defendants' Late-Disclosed Deposition Designations, by Plaintiff Equal Employment Opportunity Commission (Vasichek, Laurie) Modified on 9/13/2013. (lak) (Entered: 09/13/2013)
09/13/2013	<u>182</u>	Objection to <u>178</u> Rule 26(a)(3) Designations by Plaintiff Equal Employment Opportunity Commission (Vasichek, Laurie) Added docket entry relationship per filer's request on 9/13/2013 (krj). (Entered: 09/13/2013)
09/13/2013	<u>183</u>	Notice by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC <i>Defendants' Memorandum in Response to EEOC's Objection to Amended Deposition Designations</i> . (Schwartz, Michael) (Entered: 09/13/2013)
09/16/2013		Set/Reset Trial Date: 2nd Day Jury Trial set for 9/17/2013 at 9:00 AM. (lak) (Entered: 09/16/2013)
09/16/2013	<u>184</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: Jury Selection and First Day of Trial held on 9/16/2013. Trial continues. [5:32] (Court Reporter LS/CS.) (krj) (Entered: 09/16/2013)

09/17/2013		Set/Reset Trial Date: 3rd Day Jury Trial set for 9/18/2013 at 9:00 AM. (lak) (Entered: 09/17/2013)
09/18/2013	<u>185</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: 2nd Day Jury Trial held on 9/17/2013. Trial continues. [4:41] (Court Reporter LS/CS.) (krj) (Entered: 09/18/2013)
09/18/2013		Set/Reset Trial Date: 4th Day Jury Trial set for 9/19/2013 at 9:00 AM. (lak) (Entered: 09/18/2013)
09/19/2013	<u>186</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: 3rd Day Jury Trial held on 9/18/2013. Liability and Damages verdicts returned in favor of Equal Employment Opportunity Commission – Damages awarded in the amount of \$ \$15,000. [2:46] (Court Reporter LS.) (krj) (Entered: 09/19/2013)
09/19/2013		Set/Reset Trial Deadlines/Hearings: Court Trial set for 9/19/2013 at 09:00 AM. (krj) (Entered: 09/19/2013)
09/19/2013	<u>187</u>	Minute Entry for proceedings held before District Judge Barbara B. Crabb: 1st Day Court Trial held on 9/19/2013. Briefing set. [:58] (Court Reporter LS.) (krj) (Entered: 09/19/2013)
09/19/2013		Post trial submissions due 9/27/2013. (krj) (Entered: 09/19/2013)
09/19/2013	<u>188</u>	Introductory Jury Instructions. (krj) (Entered: 09/19/2013)
09/19/2013	<u>189</u>	Deliberation Jury Instructions – Liability. (krj) (Entered: 09/19/2013)
09/19/2013	<u>190</u>	Jury Verdict – Liability: Verdict returned in favor of Plaintiff Equal Employment Opportunity Commission. (krj) (Entered: 09/19/2013)
09/19/2013	<u>191</u>	Damages Jury Instructions. (krj) (Entered: 09/19/2013)
09/19/2013	<u>192</u>	Jury Verdict – Damages: Verdict returned in favor of Plaintiff Equal Employment Opportunity Commission in the amount of \$15,000. (krj) (Entered: 09/19/2013)
09/19/2013	<u>193</u>	Exhibit List by Plaintiff Equal Employment Opportunity Commission. (krj) (Entered: 09/19/2013)
09/19/2013	<u>194</u>	Exhibit List by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. (krj) (Entered: 09/19/2013)
09/19/2013	<u>195</u>	Court Exhibit (<u>Sealed Document</u>). (krj) (Entered: 09/19/2013)
09/25/2013	<u>196</u>	Transcript of first day of jury trial, morning session, held 9/16/13 before Judge Barbara B. Crabb. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 09/25/2013)
09/25/2013	<u>197</u>	Transcript of second day of jury trial, morning session, held 9/17/13 before Judge Barbara B. Crabb. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 09/25/2013)
09/26/2013	<u>198</u>	Transcript of third day of jury trial, held 9/18/13 before Judge Barbara B. Crabb. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 09/26/2013)
09/26/2013	<u>199</u>	Transcript of court trial, held 9/19/13 before Judge Barbara B. Crabb. Court Reporter: LS. Please review the court policy regarding electronic transcripts: see <u>Electronic Transcript Instructions</u> and <u>Notice of Intent to Request Redaction</u> . (krj) (Entered: 09/26/2013)
09/27/2013	<u>200</u>	Brief in Opposition to EEOC's Request for Injunctive Relief and Back Pay by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc.,

		Northern Star Properties, LLC . (Schwartz, Michael) Modified docket text on 9/27/2013 (mmo). (Entered: 09/27/2013)
09/27/2013	<u>201</u>	Affidavit of Michael D. Schwartz by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re <u>200</u> Brief in Opposition to EEOC's Request for Injunctive Relief and Back Pay . (Attachments: # <u>1</u> Exhibit A – Employee Handbook, # <u>2</u> Exhibit B – Brand Standards, # <u>3</u> Exhibit C – DFO, LLC Franchise Agreement, # <u>4</u> Exhibit D – Excerpt from Trial Transcript, # <u>5</u> Exhibit E – Wisconsin Court System Circuit Court Access, # <u>6</u> Exhibit F – June 27, 2013 correspondence to counsel for EEOC, # <u>7</u> Exhibit G – pertinent pages of deposition transcript of Angela Barrett, # <u>8</u> Exhibit H – pertinent pages of the deposition transcript of Chris Brekken dated July 2, 2013, # <u>9</u> Exhibit I – pertinent pages of the deposition transcript of Michael Schwartz) (Schwartz, Michael) Modified docket text on 9/27/2013; depos/transcripts previously filed. (mmo). (mmo). (Entered: 09/27/2013)
09/27/2013	<u>202</u>	Affidavit of Lisa Donnerbauer by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re <u>200</u> Brief in Opposition to EEOC's Request for Injunctive Relief and Back Pay. (Attachments: # <u>1</u> Exhibit A – poster "The Law", # <u>2</u> Exhibit B – Policies) (Schwartz, Michael) Modified docket text on 9/27/2013 (mmo). (Entered: 09/27/2013)
09/27/2013	<u>203</u>	Post Trial Brief <i>Supplemental Brief Regarding Requested Equitable Relief</i> by Plaintiff Equal Employment Opportunity Commission (Vasichек, Laurie) (Entered: 09/27/2013)
09/27/2013	<u>204</u>	Declaration of Laurie A. Vasichек re <u>203</u> Trial Brief <i>Regarding Requested Equitable Relief</i> (Attachments: # <u>1</u> Exhibit 1 – email correspondence) (Vasichек, Laurie) (Entered: 09/27/2013)
09/27/2013	<u>205</u>	Transcript of first day of jury trial, afternoon session, held 9/16/13 before Judge Barbara B. Crabb. Court Reporter: CS. Please review the court policy regarding electronic transcripts: see Electronic Transcript Instructions and Notice of Intent to Request Redaction . (krj) (Entered: 09/27/2013)
09/27/2013	<u>206</u>	Transcript of second day of jury trial, afternoon session, held 9/17/13 before Judge Barbara B. Crabb. Court Reporter: CS. Please review the court policy regarding electronic transcripts: see Electronic Transcript Instructions and Notice of Intent to Request Redaction . (krj) (Entered: 09/27/2013)
09/27/2013	<u>207</u>	Motion Pursuant to Fed. R. Civ. P. 60(B)(3) and (D)(3) Regarding Dion Miller's Perjury re <u>192</u> Jury Verdict by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC. Response due 10/4/2013. (Schwartz, Michael) Modified text on 10/3/2013 (krj). (Entered: 09/27/2013)
09/27/2013	<u>208</u>	Affidavit of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>207</u> Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Exhibit A – Excerpt from Trial Transcript, # <u>2</u> Exhibit B – Wisconsin Court System Circuit Court Access) (Schwartz, Michael) (Entered: 09/27/2013)
09/30/2013	<u>209</u>	Brief in Opposition by Plaintiff Equal Employment Opportunity Commission re: <u>207</u> Motion for Miscellaneous Relief, filed by North Broadway Holdings, Inc., Northern Star Properties, LLC, Northern Star Hospitality, Inc. <i>Re Rule 60</i> (Palmer–Denig, Jessica) (Entered: 09/30/2013)
09/30/2013	<u>210</u>	Declaration of Dion Miller filed by Plaintiff Equal Employment Opportunity Commission <i>in support of EEOC's Response</i> re: <u>207</u> Motion for Miscellaneous Relief, (Palmer–Denig, Jessica) (Entered: 09/30/2013)

09/30/2013	<u>211</u>	Declaration of Jessica Palmer–Denig filed by Plaintiff Equal Employment Opportunity Commission re: <u>207</u> Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Exhibit 1 – Defendant Sparx's 1st Set of Interrogatories, # <u>2</u> Exhibit 2 – EEOC's Answers to Defendant Sparx's 1st Set of Interrogatories, # <u>3</u> Exhibit 3 – Defendant Sparx's 2nd Set of Interrogatories, # <u>4</u> Exhibit 4 – EEOC's Answers to Defendant Sparx's 2nd Set of Interrogatories, # <u>5</u> Exhibit 5 – Defendant Properties' 1st Set of Interrogatories, # <u>6</u> Exhibit 6 – EEOC's Answers to Defendant Properties' 1st Set of Interrogatories, # <u>7</u> Exhibit 7 – Defendant Holdings' 1st Set of Interrogatories, # <u>8</u> Exhibit 8 – EEOC's Answers to Defendant Holdings' 1st Set of Interrogatories) (Palmer–Denig, Jessica) Modified on 9/30/2013 (rep). (Entered: 09/30/2013)
10/01/2013	<u>212</u>	Motion to Continue (<i>for Continuance Due To Government Shutdown</i>) by Plaintiff Equal Employment Opportunity Commission. Response due 10/8/2013. (Palmer–Denig, Jessica) (Entered: 10/01/2013)
10/01/2013	213	** TEXT ONLY ORDER ** ORDER granting <u>212</u> Motion for continuance due to government shutdown. Signed by District Judge Barbara B. Crabb on 10/1/2013. (voc) (Entered: 10/01/2013)
11/15/2013	214	** TEXT ONLY ORDER ** The stay in this case is lifted. Defendants' reply brief re: <u>207</u> is due on or before November 22, 2013. (Brief in Reply due 11/22/2013.) Signed by District Judge Barbara B. Crabb on 11/15/2013. (voc) (Entered: 11/15/2013)
11/22/2013	<u>215</u>	Brief in Reply by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC in Support of <u>207</u> Motion for Miscellaneous Relief, (Schwartz, Michael) (Entered: 11/22/2013)
11/22/2013	<u>216</u>	Affidavit of Michael D. Schwartz filed by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: <u>207</u> Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Exhibit A – EEOC's Answers to Defendant's Second Set of Interrogatories) (Schwartz, Michael) Modified on 11/25/2013. (lak) (Entered: 11/22/2013)
01/27/2014	<u>217</u>	ORDER granting EEOC's request for back pay and injunctive relief; denying EEOC's request for front pay. Motion for relief from judgment <u>207</u> (construed as motion to overturn jury's award of damages to Dion Miller) denied. Defendants enjoined from discharging employees in retaliation for complaints about racially offensive postings in workplace; from failing to adopt policies that prohibit actions made unlawful under Title VII; from failing to adopt investigative process re discrimination claims; and from failing to provide annual training re Title VII. Dion Miller awarded back pay plus interest and \$15,000 for emotional damages. Signed by District Judge Barbara B. Crabb on 1/27/14. (krj) (Entered: 01/27/2014)
01/27/2014		Plaintiff's submission of additional interest from 9/1/13 to 1/31/14 due 2/3/2014. Brief in Opposition due 2/13/2014. (krj) (Entered: 01/27/2014)
02/03/2014	<u>218</u>	Brief in Support of <i>Interest Calculation</i> by Plaintiff Equal Employment Opportunity Commission. (Palmer–Denig, Jessica) Modified on 2/4/2014. (lak) (Entered: 02/03/2014)
02/03/2014	<u>219</u>	Motion for Clarification re <u>217</u> Order on Motion for Miscellaneous Relief, by Plaintiff Equal Employment Opportunity Commission. Response due 2/10/2014. (Palmer–Denig, Jessica) (Entered: 02/03/2014)
02/07/2014	<u>220</u>	Brief in Opposition by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC re: Submission of Additional Interest. (Schwartz, Michael) Modified on 2/10/2014. (lak) (Entered: 02/07/2014)
02/07/2014	<u>221</u>	Brief in Reply by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC in Support of <u>219</u> Motion for Clarification (Schwartz, Michael) (Entered: 02/07/2014)
02/19/2014	<u>222</u>	ORDER amending re <u>217</u> Order entered on 1/27/14. Paragraph 1(e) is added following 1(d) of the order: Defendants are to send plaintiff a statement of

		compliance no later than December 31 for each of the three years in which the injunction is in effect. Paragraphs 3 and 4 are struck and the following paragraphs are entered in their place: 3. Dion Miller is awarded back pay in the amount of \$40,197.99, plus interest for the period from his date of termination through January 31, 2014 in the amount of \$3102.51, for a total award of \$43,300.50; 4. Dion Miller is awarded an additional amount of back pay equal to 15% of the back pay award, including interest, which additional amount equals \$6495.00, to reimburse him for the extra taxes he will owe on the lump sum payment he is to receive. In all other respects, the 1/27/14 order remains as entered. Clerk of court directed to enter judgment for plaintiff and close case. Signed by District Judge Barbara B. Crabb on 2/19/14. (krj) (Entered: 02/19/2014)
02/25/2014	<u>223</u>	JUDGMENT in favor of Equal Employment Opportunity Commission against North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC in the amount of \$ 64,795.50. (BBC / PAO). (krj) (Entered: 02/25/2014)
02/26/2014	<u>224</u>	Bill of Costs by Plaintiff Equal Employment Opportunity Commission. Motions referred to Magistrate Judge Stephen L. Crocker. Objection to Bill of Costs due 3/10/2014. Brief in Support to Bill of Costs due 3/18/2014. Brief in Reply in Opposition to Bill of Costs due 3/24/2014. (Attachments: # <u>1</u> Declaration of Laurie A. Vasichек, # <u>2</u> Exhibit A Service of Process Invoices, # <u>3</u> Exhibit B Invoices of Transcripts, # <u>4</u> Exhibit C Invoices of Printing Costs, # <u>5</u> Exhibit D Invoices of Costs for Obtaining Records, # <u>6</u> Exhibit E Invoices of Witness Costs) (Vasichек, Laurie) Modified on 2/27/2014. Attorney requested to file declaration and attachments as a separate docket entry. (lak) (Entered: 02/26/2014)
02/27/2014	<u>225</u>	Declaration of Laurie A. Vasichек filed by Plaintiff Equal Employment Opportunity Commission re: <u>224</u> Bill of Costs,, (Attachments: # <u>1</u> Exhibit A Service of Process Invoices, # <u>2</u> Exhibit B Invoices of Transcripts, # <u>3</u> Exhibit C Invoices of Printing Costs, # <u>4</u> Exhibit D Invoices for Obtaining Records, # <u>5</u> Exhibit E Witness Travel Fees) (Vasichек, Laurie) (Entered: 02/27/2014)
03/11/2014		Action Requested: Defendants' counsel is to inform the clerk's office by 3/14/14 whether or not he wants the court's copies of defendants' trial exhibits returned to him. If the court does not hear from counsel by 3/14/14, the exhibits will be disposed of. (krj) (Entered: 03/11/2014)
03/13/2014	<u>226</u>	ORDER on Bill of Costs: Costs Taxed in favor of Plaintiff in the amount of \$9,616.56. Signed by Peter A. Oppeneer, Clerk of Court on 3/13/14. (krj) (Entered: 03/13/2014)
03/27/2014	<u>227</u>	NOTICE OF APPEAL by Defendants North Broadway Holdings, Inc., Northern Star Hospitality, Inc., Northern Star Properties, LLC, Counter Claimant Northern Star Hospitality, Inc. as to <u>152</u> Order on Motion in Limine,, Order on Motion to Strike,,,,,, <u>223</u> Judgment. Filing fee of \$ 505, receipt number 0758-1322423 paid. Docketing Statement filed. (Attachments: # <u>1</u> Docketing Statement Docketing Statement) (Schwartz, Michael) (Entered: 03/27/2014)
03/27/2014	<u>228</u>	Appeal Information Packet. (krj) (Entered: 03/27/2014)