

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

U.S.C.A.# _____

CLOSED

TITLE OF CASE

ATTORNEYS

NORA D. SATTY on behalf of herself
and all persons similarly situated,

v.

NASHVILLE GAS COMPANY

For plaintiff:
Robert W. Weismuller, Jr.
Tom H. Williams, Jr.

Robert Weismueller, Jr. - 1, 2, 3,
Life & Casualty Tower
18th Floor
Nashville, TN 37219

Tom H. Williams, Jr. - 1, 2, 3,
Fidelity Federal Building
Suite 1206
Nashville, TN 37219

SEEKS CLASS ACTION--RULE 23

BASIS OF ACTION: Alleged violation of
civil rights in practicing unlawful
employment

For defendant:

Charles Wray - 1, 2, 3
Bass, Berry & Sims
First American Center
Nashville, Tn. 37238

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 7/1/74	Clerk	7-1-74	Robert W. Weismuller	1500	1500
J.S. 6 mailed 11/20/74	Marshal	7-5-74	Lead CD 566		
Basis of Action:	Docket fee	11-27-74	Bass Berry & Sims	500	500
	Witness fees	11-29-74	Lead CD 24		
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/1/74	Filed: Complaint	
7/1/74	Filed: Motion for Preliminary Injunction	
7/1/74	Entered: Order that a hearing be had on the Plaintiff's motion for preliminary injunction against defendant and the defendant to then show cause, if any, why said preliminary injunction should not issue, further ordered that the defendant named appear on 7/10/74 to show cause why the aforesaid preliminary injunction should not issue. Above three documents served via U. S. Marshal along with a summons to the defendant, Nashville Gas Company.	
7/1/74	Filed: Plaintiff's Interrogatories	
7/9/74	Filed: Affidavit of Elmer L. Henson, Jr., Vice-President, Personnel of Nashville Gas Company.	
7/14/74	Order entered setting case for trial on Friday, August 30, 1974. Att. copy to attys. of record. (9/5/74)	
7/10/74	Entered: Order denying motion for preliminary injunction. Copies to attorneys.	
7/16/74	Filed: Plaintiff's Interrogatories. C/S	
7/22/74	Filed: Answer of the defendant Nashville Gas Company. C/S	
7/30/74	Filed: Answers to Plaintiff's First Set of Interrogatories	
8/23/74	Filed: Answers to plaintiff's Interrogatories.	
8/26/74	Filed: Plaintiff's Trial Brief.	
8/27/74	Filed: Stipulation of Facts. C/S	
8/27/74	Filed: Defendant's Pre-Trial Brief. C/S	
8/27/74	Filed: Deposition of Nora D. Satty taken on behalf of Defendants August 22, 1974.	
8/28/74	Entered: Pre-trial Order. Copies to attorneys.	
9/3/74	Filed: M/R for summons and complaint served on Nashville Gas Co. 7/16/74	
9/5/74	Filed: Schedule of Exhibits.	
9/19/74	Filed: Plaintiff's Supplemental Brief. C/S	
11/4/74	Entered: Memorandum...the defendant is allowed 15 days for submission of affidavits and plaintiff shall have 10 days following defendant's submission to file counter-affidavits. Counsel for plaintiff will submit an order consistent with the provisions of this memorandum.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
11/20/74	Filed: Stipulations	
11/20/74	Entered: Order that plaintiff recover sick leave benefits; be credited with sick leave benefits from time she returned from maternity leave on 3/14/73 which are benefits in amount of four weeks at full pay and eight weeks at 1/2 pay; deft shall reinstate plf as a permanent employee as of 4/2/73, the date the first permanent position after 3/14/73 was filled with another employee having less seniority than plaintiff; plaintiff will be credited with full seniority from the date of her initial hiring by deft; that plaintiff recover back wages from 4/2/73 until 11/15/74; plf is to be credited with seniority from her original date of hire, 3/24/69, for purposes of the Company retirement plan; attorney's fees are awarded to Robert W. Weismueller, Jr. and Tom H. Williams, Jr. in amount of \$3,000; all of the foregoing order is hereby stayed for a period of ten days and thereafter pending appeal from this order if, during said ten day period deft., files bond in amount of \$30,000 with a good and sufficient surety. Deft. shall pay the costs of this cause, for which execution may issue if necessary. Att. copy to attys.	
11/27/74	Filed: Supersedeas Bond.	
11/27/74	Filed: Notice of Appeal behalf Nashville Gas Company. C/S	
12/23/74	Filed: Transcript of Proceedings.	
12/23/74	Record on Appeal mailed to Sixth Circuit.	
3-13-78	MANDATE issued 3-9-78. Cy of Judgment and Exhibits from 6th CCA filed. Judgment of District Court is affirmed. CY: USA.	
3-13-78	Order from 6th CCA filed. This cause is remanded to USDC for further proceedings in accordance with the decision and order of the US Supreme Court in this case dated 12-6-77. CY: usa.	
4-7-78	FILED: Plaintiff's Motion for Award of Expenses and Counsel Fees. C/S.	
4-7-78	FILED: Brief in Support of Plaintiff's Motion for Award of Expenses and Counsel fees. C/S.	
4-7-78	FILED: Affidavit in Support of Motion of Attorney for Plaintiff for Attorneys' fees. C/S.	
4-7-78	FILED: Stipulation of facts. C/S.	
4-7-78	FILED: Affidavit of Cecil D. Branstetter. C/S.	
4-7-78	FILED: Affidavit of Robert W. Weismueller, Jr. C/S.	
4-7-78	FILED: Affidavit of Robert W. Weismueller, Jr., and Tom H. Williams, Jr. C/S.	
4-7-78	FILED: Affidavit of Tom H. Williams, Jr. C/S.	
4-7-78	FILED: Affidavit of Anne McLeod Trebilcock. C/S.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-11-78	Entered: Order: re: pl. motion for award of expenses & counsel fees filed 4-7-78: Ordered that: this motion is set for evidentiary hearing at 8:30 A.M. on 5-18-78. Cy to attys. of record.	
4-11-78	Entered: Order: Ordered that: (1) deft. shall reinstate pl. as a perm. employee as of 4-2-73 & she shall recover back wages from 4-2-73 until 1-2-78, reduced by amts paid her during this period by Nash. Gas Co., her employment elsewhere & her unemp. comp. This is a total of \$34,182.37, reduced by \$6,836.47 for withholding tax & \$934.16 Soc. Sec. tax for a net total due pl. of \$26,411.74. (2) Pl. shall recover interest on the back wages in amt of \$4,595.75, which is computed thru 4-3-78. Thereafter interest shall accrue at rate of 8 percent per annum. (3) Pl. shall be credited with full seniority from 3-24-69, her initial hire date, for all purposes incl retirement plan. (4) Deft. policy of not paying sick leave for pregnancy does not constitute sex discrim. under Civil Rights Act of 1964, nor is such a policy a mere pretext to effect discrim. vs. one sex or the other. Therefore, pl. is not entitled to collect any sick leave benefits for pregnancy. (5) Costs & atty fees are reserved for further hearing. Cy to attys. of record.	
5-12-78	FILED: Brief of Defendant in Opposition to Plaintiff's Motion for Award of Expenses and Counsel Fees. C/S.	
5-12-78	FILED: Affidavit of Charles K. Wray.	
5-12-78	FILED: Affidavit of W. Ovid Collins, Jr.	
5-12-78	FILED: Affidavit of John K. Maddin, Jr.	
5-12-78	FILED: Affidavit of Thomas P. Kanaday, Jr.	
5-18-78	FILED: Clerk's Resume of Court Proceedings; Hearing to determine attorney's fees; affidavit to be filed by defendant; taken under advisement.	
5-23-78	Filed: Affidavit of Charles K. Wray, c/s.	
9-28-78	FILED: Motion pursuant to Local Rule (B) (8) for a statement regarding the status of plaintiff's Motion for an award of expenses and counsel fees in this action. C/S.	
9-28-78	FILED: Brief of Plaintiff in Support of Motion to Ascertain Status. C/S.	
9/29/78	Entered: Order in re motion for statement: Under Advisement. <u>Case Notice No. 1</u>	
11-8-78	ENTERED: <u>MEMORANDUM. CASE NOTICE NO. 2</u>	
11-8-78	ENTERED: ORDERED that a total fee of \$18,740.00 and costs of \$321.70 be awarded to counsel for plaintiff in this cause. <u>CASE NOTICE NO. 2</u>	
11/9/78	ENTERED: Agreed order. Ordering that Nashville Gas Co. principal and St. Paul Fire & Marine Ins. Co., surety, are hereby exonerated and released from all liability under the said Supersedeas Bond. <u>CASE NOTICE NO. 3</u>	