

**U.S. District Court  
Northern District of Alabama (Southern)  
CIVIL DOCKET FOR CASE #: 2:92-cv-02065-SCP**

Ragazzo, et al v. Maccaferri Gabions, et al  
Assigned to: Senior Judge Sam C Pointer, Jr  
Demand: \$0  
Cause: 29:621 Job Discrimination (Age)

Date Filed: 08/31/1992  
Date Terminated: 05/18/1993  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**George Ragazzo**

represented by **Marvin L Stewart , Jr**  
THE STEWART LAW GROUP PC  
2021 2nd Avenue, North  
Birmingham, AL 35203  
871-9795  
Fax: 1-413-845-2117 fax  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Gabions Unlimited, Inc.**  
*TERMINATED: 09/22/1992*

represented by **Marvin L Stewart , Jr**  
(See above for address)  
*TERMINATED: 09/22/1992*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Gabions Unlimited, Inc.**

represented by **Marvin L Stewart , Jr**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Maccaferri Gabions, Inc.**

represented by **Paul J Orfanedes**  
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*PRO HAC VICE*  
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**Defendant**

**Vittorio Tedeschi**  
*TERMINATED: 09/22/1992*

**Defendant**

**Officine Maccaferri, S.p.A.**  
*TERMINATED: 09/22/1992*

**Defendant**

**Lemac, Int.**  
*TERMINATED: 09/22/1992*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/31/1992	1	COMPLAINT filed, amount paid \$ 120, receipt # 200 70810 (DDR) (Entered: 09/01/1992)
08/31/1992	2	REQUEST of plaintiff for service by certified mail as to dfts Maccaferri Gabions, Tedeschi and Officine Maccaferri filed (DDR) Modified on 09/08/1992 (Entered: 09/01/1992)
09/10/1992		SUMMONS and complaint issued mailed certified mail (service held for dft Lemac) (DDR) (Entered: 09/10/1992)
09/21/1992	3	SUMMONS and complaint returned executed: upon defendant Vittorio Tedeschi on 9/14/92 filed (DDR) (Entered: 09/21/1992)
09/21/1992	4	SUMMONS and complaint returned executed: upon defendant Officine Maccaferri, defendant Maccaferri Gabions on 9/15/92 filed (DDR) (Entered: 09/21/1992)
09/22/1992	5	AMENDED complaint; terminating party Gabions Unlimited, party Vittorio Tedeschi, party Officine Maccaferri, party Lemac, Int. filed cs (service held for summons) (DDR) (Entered: 09/22/1992)
09/23/1992	6	NOTICE of dismissal as to dfts Vittorio Tedeschi, Officine Maccaferri, and Lemac filed

		(DDR) (Entered: 09/24/1992)
10/08/1992	7	MOTION by defendant to extend time to respond to amended complaint filed cs (TLM) (Entered: 10/09/1992)
10/13/1992	8	ORDER granting motion to extend time to respond to amended complaint [7-1]dft shall have until on or before 10/29/92 to respond the the Amended complaint filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 10/13/1992)
10/29/1992	9	MOTION by defendant to dismiss amended complaint filed cs (TLM) (Entered: 10/29/1992)
10/29/1992	9	BRIEF by defendant Maccaferri Gabions in support of dft motion to dismiss filed cs (TLM) Modified on 05/19/1993 (Entered: 05/19/1993)
11/09/1992	10	ORDER that the dfts motion to dismiss is to the extent based on materials outside the pleadings converted to amoton for sumjgm filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 11/09/1992)
11/23/1992	11	MOTION by plaintiff to disqualify Helmsing, Lyons, Sims & Leach filed cs (TLM) (Entered: 11/23/1992)
11/23/1992	12	MOTION by plaintiff to stay pending ruling on motion to disqualify filed cs (TLM) (Entered: 11/23/1992)
11/23/1992	13	MOTION by plaintiff to extend time of hrg date , or in the alternative for leave to submit a facsimile copy of a counterafdt and substitute the original upon receipt filed cs (TLM) (Entered: 11/23/1992)
11/25/1992		13 - ORDER granting motion to extend time of hrg date [13-1], granting motion for leave to submit a facsimile copy [13-2] ( by Judge Sam C. Pointer Jr ) entered cm (TLM) (Entered: 11/25/1992)
11/25/1992		12 - ORDER granting motion to stay pending ruling on motion to disqualify [12-1] ( by Judge Sam C. Pointer Jr ) entered cm (TLM) (Entered: 11/25/1992)
12/04/1992	14	MOTION by defendant Maccaferri Gabions for attorney to appear pro hac vice filed cs (TLM) (Entered: 12/07/1992)
12/10/1992	15	ORDER granting motion for attorney to appear pro hac vice [14-1] filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 12/10/1992)
12/24/1992	16	RESPONSE by plaintiff to dfts motin for sumjgm and statement of disputed facts [9-1] filed cs (TLM) (Entered: 12/28/1992)
12/24/1992	17	MOTION by defendant to withdraw attorney Frederick G Helmsing filed cs (TLM) (Entered: 12/28/1992)
12/24/1992	18	AFFIDAVIT of George Ragazzo filed cs (TLM) (Entered: 12/28/1992)
01/04/1993	19	MEMORANDUM opinion filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 01/04/1993)
01/04/1993	20	ORDER granting motion to dismiss as to the plas claims based on the contract for reemployment; the motion is Denied as to the plas claim based on breach of contract between MAGA & Ragazz0 th edfts supplemental motion to dismiss for improper venue is Denied w/o prejudice to the filing of a oton for change of venue under 28;1404 [9-1] filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 01/04/1993)
01/04/1993		17 - ORDER granting motion to withdraw attorney Frederick G Helmsing [17-1] attorney Frederick G Helmsing for Maccaferri Gabions ( by Judge Sam C. Pointer Jr ) entered cm

		(TLM) (Entered: 01/04/1993)
01/04/1993		11 - ORDER finding the motion to disqualify Helmsing, Lyons, Sims & Leach [11-1] moot. ( by Judge Sam C. Pointer Jr ) entered cm (TLM) (Entered: 01/04/1993)
01/22/1993	21	MOTION by defendant Maccaferri Gabions to strike pleadings for reconsideration , or in the alternative to stay proceedings , and for for sanctions filed cs (TLM) (Entered: 01/22/1993)
01/25/1993		21 - ORDER denying motion to strike pleadings for reconsideration [21-1] denying motion to stay proceedings [21-2] denying motion for sanctions [21-3] ( by Judge Sam C. Pointer Jr ) entered cm (KAM) (Entered: 01/25/1993)
01/28/1993	22	ORDER (Scheduling) on conference held 1/27/93 w/exhibits attached by Judge Sam C. Pointer Jr entered cm (TLM) (Entered: 01/28/1993)
01/28/1993	23	MOTION by plaintiff George Ragazzo to amend complaint filed cs (TLM) (Entered: 01/29/1993)
01/29/1993		23 - ORDER granting motion to amend complaint [23-1] ( by Judge Sam C. Pointer Jr ) entered cm (SCL) (Entered: 02/01/1993)
02/03/1993	24	OPPOSITION by defendant Maccaferri Gabions to motion to amend complaint [23-1] filed cs (KAM) (Entered: 02/03/1993)
02/03/1993	25	ANSWER by defendant Maccaferri Gabions, filed cs (KAM) (Entered: 02/03/1993)
02/23/1993	26	MOTION by defendant for summary judgment filed (TLM) (Entered: 02/24/1993)
02/23/1993	27	MOTION by defendant to stay discovery filed cs (TLM) (Entered: 02/24/1993)
03/01/1993		27 - ORDER denying motion to stay discovery [27-1] ( by Judge Sam C. Pointer Jr ) entered cm (TLM) (Entered: 03/01/1993)
03/19/1993	28	AMENDED (Second) complaint filed by plaintiff [1-1] filed cs (TLM) (Entered: 03/23/1993)
03/24/1993	29	MOTION by plaintiff to extend time to respond to motion for sumjgm filed cs (TLM) (Entered: 03/24/1993)
03/24/1993	30	MOTION by plaintiff to strike afdt of Vittorio Tedeschi filed cs (TLM) (Entered: 03/24/1993)
03/24/1993	31	AFFIDAVIT (Supplemental facsimile) of George Ragazzo filed cs (TLM) (Entered: 03/24/1993)
03/25/1993	32	AFFIDAVIT (Supplemental Second) of George Ragazzo filed cs (TLM) (Entered: 03/25/1993)
03/25/1993	33	NOTICE filed by plaintiff of supplemental afdt of George Ragazzo cs (TLM) (Entered: 03/25/1993)
03/25/1993	34	DEMAND for jury trial by plaintiff; jury demand filed cs (TLM) (Entered: 03/25/1993)
03/25/1993	35	ORDER granting plas motion to extend time to respond to sumjgm [29-1] granting plas motion to strike afdt of Vittorio Tedeschi [30-1] filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 03/25/1993)
04/07/1993	36	MOTION by defendant Maccaferri Gabions to dismiss Cts III-VI , or in the alternative to transfer filed cs (TLM) (Entered: 04/07/1993)
04/07/1993	37	MOTION by defendant to strike Ct 1 of plas second amended complaint filed cs (TLM)

		(Entered: 04/07/1993)
04/08/1993		Text not available. (Entered: 04/09/1993)
04/08/1993	39	ORDER granting motion to strike Ct 1 [37-1] granting motion to dismiss Cts III-VI [36-1] ; Count II remains before this court to the extent to which it states a breach of contract claim against dft for failure to compensate pla Ragazzo for lost sales territory filed ( by Judge Sam C. Pointer Jr ) cm(TLM) Modified on 04/09/1993 (Entered: 04/09/1993)
04/08/1993	38	MEMORANDUM opinion filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 04/09/1993)
04/26/1993	39	AFFIDAVIT (Supplemental) of Vittorio Tedeschi filed cs (TLM) (Entered: 04/27/1993)
04/28/1993	40	MOTION by plaintiff to compel filed cs (TLM) (Entered: 04/28/1993)
05/03/1993	41	AFFIDAVIT (Second Supplemental) of George Ragazzo filed cs (TLM) (Entered: 05/05/1993)
05/03/1993	42	AFFIDAVIT (Second Supplemental)(Third Affidavit) of George Ragazzo filed cs (TLM) (Entered: 05/05/1993)
05/03/1993	43	MOTION by plaintiff to continue motion for sumjgm filed cs (TLM) (Entered: 05/05/1993)
05/05/1993	44	MOTION by plaintiff to strike supplemental afdt of Vittorio Tedeschi filed cs (TLM) (Entered: 05/05/1993)
05/06/1993	45	OPPOSITION by defendant to motion to compel [40-1], motion to continue motion for sumjgm [43-1] filed cs (TLM) (Entered: 05/06/1993)
05/06/1993	46	STATEMENT of facts by plaintiff filed cs on dfts second motion for sumjgm (TLM) (Entered: 05/07/1993)
05/13/1993	47	MOTION by defendant Maccaferri Gabions to continue filed cs (TLM) (Entered: 05/13/1993)
05/13/1993	48	MOTION by plaintiff for reconsideration filed cs (TLM) (Entered: 05/14/1993)
05/17/1993	49	EXHIBIT list by defendant filed cs (TLM) (Entered: 05/19/1993)
05/17/1993	50	WITNESS list by defendant Maccaferri Gabions filed cs (TLM) (Entered: 05/19/1993)
05/18/1993	51	ORDER denying motion to continue motion for sumjgm [43-1] denying motion to compel [40-1] denying motion to strike [44-1] denying motion for reconsideration [48-1] granting motion for summary judgment [26-1] the dfts motion for continuance of trial date is dismissed as Moot; accordingly this case is dismissed w/prejudice each pty to bear its own costs filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 05/19/1993)
05/18/1993	52	OPINION filed ( by Judge Sam C. Pointer Jr ) cm (TLM) (Entered: 05/19/1993)
06/17/1993	53	MOTION by plaintiff to extend time to file appeal filed cs (TLM) (Entered: 06/23/1993)
06/17/1993	54	NOTICE of appeal by plaintiff from District Court decision, [51-1] ; notice of appeal, order appealed from and court copy of docket entries w/transmittal letter mailed cm (TLM) (Entered: 06/23/1993)
06/24/1993		APPEAL fee received in amount of \$ 105. (TLM) (Entered: 06/29/1993)
06/28/1993		53 - ORDER denying motion to extend time to file appeal [53-1] notice of appeal filed on same date 6/17/93 ( by Judge Sam C. Pointer Jr ) entered cm (TLM) (Entered: 06/28/1993)
09/13/1993		CERTIFICATE of readiness issued cm (TLM) (Entered: 09/17/1993)

01/18/1994	CERTIFICATE of readiness issued cm (TLM) (Entered: 01/18/1994)
01/18/1994	CERTIFICATE of readiness issued cm (TLM) (Entered: 01/18/1994)

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<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40