

1 ROBERTA STEELE, SBN 188198 (CA)  
2 MARCIA L. MITCHELL, SBN 18122 (WA)  
3 AMI SANGHVI, SBN 4407672 (NY)  
4 U.S. EQUAL EMPLOYMENT  
5 OPPORTUNITY  
6 COMMISSION  
7 San Francisco District Office  
8 The Phillip Burton Federal Building  
9 450 Golden Gate Avenue, 5 West  
10 P.O. Box 36025  
11 San Francisco, CA 94102  
12 Telephone No. (415) 522-3071  
13 [ami.sanghvi@eeoc.gov](mailto:ami.sanghvi@eeoc.gov)

14 *Attorneys for Plaintiff EEOC*

15 DAVID MAREK, SBN 290686  
16 THE MAREK LAW FIRM, INC.  
17 228 Hamilton Avenue  
18 Palo Alto, California 94301  
19 Telephone No. (917) 721-5042  
20 [david@marekfirm.com](mailto:david@marekfirm.com)

21 *Attorney for Plaintiff-Intervenor*

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA

24 U.S. EQUAL EMPLOYMENT  
25 OPPORTUNITY COMMISSION,

26 Plaintiff,  
27 and

28 ADRIAN SCOTT DUANE,

Plaintiff-Intervenor,  
vs.

IXL LEARNING, INC.,

Defendant.

JEFFREY D. WILSON (PRO HAC VICE)  
EDDIE WOODWORTH (PRO HAC VICE)  
YOUNG BASILE HANLON &  
MACFARLANE, PC  
3001 W. Big Beaver Road, Suite 624  
Troy, MI 48084  
Telephone No. (248) 649-3333  
[wilson@youngbasile.com](mailto:wilson@youngbasile.com)  
[woodworth@youngbasile.com](mailto:woodworth@youngbasile.com)

*Attorneys for Defendant IXL Learning, Inc.*

Case No.: 3:17-cv-02979-VC

**POST-TRIAL JOINT CASE  
MANAGEMENT STATEMENT**

Date: November 27, 2018  
Time: 1:30 PM  
Judge: Honorable Vince Chhabria

The parties to the above-entitled action jointly submit this JOINT CASE  
MANAGEMENT STATEMENT pursuant to this Court's Text Order dated November 6, 2018

(ECF No. 152) and Civil Local Rule 16-10(d).

**1. FACTS/PROCEDURAL STATUS**

Plaintiff EEOC and Plaintiff-Intervenor Adrian Scott Duane brought a retaliation claim under Title VII and the ADA against Defendant IXL Learning, Inc. The claims were tried to a jury. The jury returned a defense verdict on October 29, 2018. This Court noticed a further Case Management Conference for November 27, 2018 and ordered that the parties file this Case Management Statement by November 20, 2018. (ECF No. 152). On November 20, 2018, Defendant requested to appear at the Case Management Conference by telephone, per ¶ 18 of Judge Chhabria’s Civil Standing Order.

**2. MOTIONS**

Defendant filed a Bill of Costs on November 13, 2018. Plaintiffs’ objections are due by November 27, 2018. (ECF No. 155)

The plaintiffs continue to evaluate whether to pursue a motion for a new trial pursuant to Fed. R. Civ. P. 59(a) and/or whether they intend to appeal the jury verdict.

DATED: November 20, 2018

US EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

By:           /s/ Ami Sanghvi            
AMI SANGHVI

DATED: November 20, 2018

THE MAREK LAW FIRM, INC.

By:           /s/ David Marek            
DAVID MAREK

DATED: November 20, 2018

YOUNG BASILE HANLON & MACFARLANE

By:           /s/ Jeffrey D. Wilson            
JEFFREY D. WILSON

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**LOCAL RULE 5-1(i)(3) ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from David Marek and Jeffrey Wilson.

Date: November 20, 2018

/s/ Ami Sanghvi  
AMI SANGHVI