

U.S. District Court
U.S. District Court for the Northern District of Oklahoma (Tulsa)
CIVIL DOCKET FOR CASE #: 4:98-cv-00416-seh

Martin, et al v. Sperry Sch Dist 8, et al
Assigned to: Judge Sven Erik Holmes
Demand: \$0
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 06/12/1998
Date Terminated: 11/27/2000
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Randy Martin

as parent and next friend of his minor daughters, Brandy Martin, Candice Martin, Kasey Hobens and Kendall Hobens

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Brandy Martin

—

Candice Martin

—

Kasey Hobens

—

Kendall Hobens

represented by **Raymond L Yasser**
Smolen Smolen & Roytman PLLC
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller

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LEAD ATTORNEY
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Plaintiff

Catherine Martin

as parent and next friend of her minor daughters Brandy Martin, Candice Martin, Kasey Hobens and Kendall Hobens

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ray Wolf

as parent of his minor daughter, Samantha Wolf

—

Samantha Wolf

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Sue Wolf

as parent of her minor daughter, Samantha Wolf

represented by **Raymond L Yasser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel J Schiller
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

V.

Defendant

**Independent School District No. 8 of
 Tulsa County**
 TERMINATED: 10/20/2000
 also known as
 Sperry Public Schools

represented by **J Douglas Mann**
 Rosenstein Fist & Ringold
 525 S MAIN STE 700
 TULSA, OK 74103
 918-585-9211
 Fax: 918-583-5617
 Email: dougm@rfrlaw.com
 TERMINATED: 10/20/2000
 LEAD ATTORNEY
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Karen Lea Long
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 918-585-9211
 Fax: 918-583-5617
 Email: karenl@rfrlaw.com
 TERMINATED: 10/20/2000
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

Jerry Burd
 individually and in his official capacity as
 Superintendent
 TERMINATED: 03/16/1999

represented by **J Douglas Mann**
 (See above for address)
 TERMINATED: 03/16/1999
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Karen Lea Long
 (See above for address)
 TERMINATED: 03/16/1999
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

John Doe
 Sued as: Does 1 through 50

Date Filed	#	Docket Text
06/12/1998	1	CLASS ACTION COMPLAINT (fee status: pd) (no summons issued) (c/j) (fe, Dpty Clk) Modified on 06/18/1998 (Entered: 06/15/1998)
06/12/1998		FILING FEE PAID IN FULL by plaintiffs on 6/12/98 in the amount of \$150.00 receipt #80962 (fee status: pd) (fe, Dpty Clk) (Entered: 06/15/1998)
08/10/1998	2	ANSWER by defendant Sperry Sch Dist 8, defendant Jerry Burd to complaint [1-1] (crp, Dpty Clk) (Entered: 08/10/1998)
09/01/1998	3	MOTION by all plaintiffs to certify class action pursuant to FRCP 23 (sac, Dpty Clk) (Entered: 09/02/1998)

09/01/1998	4	BRIEF by all plaintiffs in support of motion to certify class action pursuant to FRCP 23 [3-1] (sac, Dpty Clk) (Entered: 09/02/1998)
09/15/1998	5	RESPONSE by defendants Sperry Sch Dist 8, Jerry Burd and John Doe to motion to certify class action (dfdts consent to certification) [3-1] (sac, Dpty Clk) (Entered: 09/16/1998)
09/15/1998	6	ORDER FOR JOINT CASE MANAGEMENT PLAN by Judge Sven Erik Holmes, cnsl to confer and submit Jt CM Plan on/before 10/20/98 (cc: all counsel) (crp, Dpty Clk) (Entered: 09/16/1998)
10/20/1998		CASE MANAGEMENT PLAN Received (C2J) (crp, Dpty Clk) (Entered: 10/20/1998)
11/03/1998		MINUTE ORDER: IT IS HEREBY ORDERED that a CMC/STATUS HRG is set for 1:00 p.m. on 12/18/98 before Judge Holmes. (SEH-J) (cc: all counsel) (djh, Dpty Clk) (Entered: 11/03/1998)
11/03/1998		MINUTE ORDER: IT IS HEREBY ORDERED that the CMC/STATUS HRG set for 1:00 p.m. on 12/18/98 is reset to 3:00 p.m. on 12/3/98 before Judge Holmes. (SEH-J) (cc: all counsel) (djh, Dpty Clk) (Entered: 11/03/1998)
12/03/1998		MINUTES: by Judge Sven Erik Holmes ; Status hearing held 12/3/98 , pltfs Randy Martin & Ray Wolf pres; agrd class ord to be prep & sent to ct by 12/10/98; status of case discussed; BRIEF STATUS HRG set for 1:30 1/15/99 & pltf to give rpt on Mr. Byrd at tht time. (G. Dorrough-CR) (djh, Dpty Clk) (Entered: 12/04/1998)
12/21/1998	7	ORDER by Judge Sven Erik Holmes granting motion to certify class action pursuant to FRCP 23 [3-1]; that Pltfs need not provide any formal ntc to any members of the certified class (cc: all counsel) (crp, Dpty Clk) (Entered: 12/22/1998)
01/19/1999		MINUTE ORDER: IT IS HEREBY ORDERED that the STATUS HRG set for 1:30 p.m. on 1/15/99 is passed to 2:30 p.m. on 1/22/99 before Judge Holmes. (SEH-J) (cc: all counsel)(Pties phoned by CRD) (djh, Dpty Clk) (Entered: 01/19/1999)
01/19/1999		REMARK: Pties phoned re: stat hrg reset for 2:30 p.m. on 1/22/99. (djh, Dpty Clk) (Entered: 01/19/1999)
01/22/1999		MINUTES: by Judge Sven Erik Holmes ; Status hearing held 1/22/99 ; pltfs' couns give stat rpt; pltf req deft Mr. Burd appear at next hrg-ct states not nec & too early for site visit & MUA; next STATUS HRG set for 2:30 p.m. on 2/26/99 bfr Jdg Holmes. (G. Dorrough-CR) (djh, Dpty Clk) (Entered: 01/22/1999)
02/08/1999		MINUTE ORDER: IT IS HEREBY ORDERED that a STATUS HRG is set for 2:30 p.m. on 2/26/99 . (SEH-J) (cc: all counsel) (djh, Dpty Clk) (Entered: 02/08/1999)
02/26/1999		MINUTES: by Judge Sven Erik Holmes ; Status hearing held 2/26/99 , status of case rptd ; STATUS HRG set for 8:30 a.m. on 4/22/99 before Judge Holmes.(G. Dorrough-CR) (djh, Dpty Clk) (Entered: 03/01/1999)
03/01/1999		MINUTE ORDER: IT IS HEREBY ORDERED that a STATUS HRG is set for 8:30 a.m. on 4/22/99 before Judge Holmes. (SEH-J) (cc: all counsel) (djh, Dpty Clk) (Entered: 03/01/1999)
03/16/1999	8	JOINT STIPULATION OF DISMISSAL as to Jerry Burd only (sac, Dpty Clk) (Entered: 03/17/1999)
04/22/1999		MINUTES: by Judge Sven Erik Holmes: Stat Hrg held on 4/22/99; pties rpt status/case; pties are ready for a facility tour- TOUR set for 1:30 5/13/99 ; pties to submit any addtl auth to the ct by 5/6/99 & resp due 5/11/99; deft to make tour arrgmts & notify ct; pltfs may attend tour. (G. Dorrough-CR) (djh, Dpty Clk) (Entered: 04/22/1999)
05/05/1999	9	BRIEF FILED by plaintiffs on the issue of facilities; filed pursuant to Status Conf held on 4/22/99 [0-0] (sac, Dpty Clk) (Entered: 05/05/1999)

05/06/1999	<u>10</u>	BRIEF FILED by defendants Sperry Sch Dist 8 & John Doe in support of its contention that the district's construction of the Sperry Athletic Facility is not a violation of Title IX (sac, Dpty Clk) (Entered: 05/06/1999)
05/11/1999	<u>11</u>	RESPONSE by defendant Sperry Sch Dist 8 to pltf's brf on the issue of facilities [9-1] (sac, Dpty Clk) (Entered: 05/12/1999)
06/01/1999		MINUTE ORDER: IT IS HEREBY ORDERED that a STATUS HRG is set for 3:00 p.m. on 7/1/99 before Judge Holmes. (SEH-J) (cc: all counsel) (Entry Date 6/1/99) (djh, Dpty Clk) (Entered: 06/01/1999)
06/30/1999	<u>12</u>	MOTION by defendant Sperry Sch Dist 8 to continue status conf set for 7/1/99 (O2J) (crp, Dpty Clk) (Entered: 06/30/1999)
07/01/1999	<u>13</u>	ORDER by Judge Sven Erik Holmes granting dfdt's motion to continue status conf set for 7/1/99 [12-1] ; Status hearing to be reset upon appl of any party or upon further order of the Court (cc: all counsel) (parties ntfy'd by telephone) (Entry Date 7/1/99) (sac, Dpty Clk) Modified on 07/07/1999 (Entered: 07/01/1999)
07/13/1999		MINUTE ORDER: IT IS HEREBY ORDERD that a STATUS HRG is set for 9:30 a.m. on 8/27/99 before Judge Holmes. (SEH-J) (cc: all counsel) (Entry Date 7/13/99) (djh, Dpty Clk) (Entered: 07/13/1999)
07/14/1999		MINUTE ORDER: IT IS HEREBY ORDERED that the STATUS HRG set for 8/27/99 is moved up and reset for 10:30 8/26/99 before Judge Holmes. (SEH-J) (cc: all counsel) (Entry Date 7/14/99) (djh, Dpty Clk) (Entered: 07/14/1999)
08/26/1999		MINUTES: by Judge Sven Erik Holmes : Pties are working on a sttlmt agrmt & one issue remains unresolved; attys fees will be left to discretion of ct upon pties agrmt; Stat Hrg set 10/1/99 at 2:30 p.m. (G. Dorough-CR) (Entry Date 8/26/99) (djh, Dpty Clk) (Entered: 08/26/1999)
10/01/1999		MINUTES: by Judge Sven Erik Holmes ; Status hearing held on 10/1/99 ; pties are working on settlemt agrmt—only 2 remaining issues: locker rm facil & atty fees; addtl auth due 10/15/99 & resp due 10/29/99; offer/pldng in factual form due 10/6/99; tour of facility set for 11/11/99 at 11:00 a.m.; HRG set for 3:00 11/3/99 ; pties to set out all locker facil on a map w/their use, what time of yr used & qual of lockers—due 10/15/99. (G. Dorough-CR) (Entry Date 10/1/99) (djh, Dpty Clk) (Entered: 10/01/1999)
10/06/1999	<u>14</u>	NOTICE (DISCLOSURE) by defendant Sperry Sch Dist 8 of locker/dressing room proposal submitted to Pltfs (crp, Dpty Clk) (Entered: 10/07/1999)
10/15/1999	<u>15</u>	BRIEF FILED by plaintiffs regarding [0-0] the issue of locker rooms (sac, Dpty Clk) (Entered: 10/18/1999)
10/15/1999	<u>16</u>	NOTICE (INVENTORY FOCUS: LOCKER/DRESSING ROOM AREAS) by defendant Sperry Sch Dist 8 (crp, Dpty Clk) (Entered: 10/18/1999)
10/15/1999	<u>17</u>	BRIEF FILED by defendant Sperry Sch Dist 8 of legal authorities in supp of its contention that the district's locker/dressing room facilities, as a whole, must and do achieve gender equity (crp, Dpty Clk) (Entered: 10/18/1999)
10/26/1999	<u>18</u>	MINUTE ORDER: by Judge Sven Erik Holmes. This matter comes before the Court pursuant to the hearing in this case scheduled for November 3, 1999. The parties are hereby directed to jointly prepare and submit, on or before November 3, a map depicting all athletic facilities and fields at the school and indicating the location and number of available lockers in each facility, as well as the sport and gender to which the lockers are currently assigned. (cc: all counsel) (sac, Dpty Clk) (Entered: 10/27/1999)
10/29/1999	<u>19</u>	NOTICE of Joint decision not to file resp brfs re locker rm issue by defendant John Doe, defendant Jerry Burd, defendant Sperry Sch Dist 8, plaintiff Sue Wolf, plaintiff Ray Wolf, plaintiff Catherine Martin, plaintiff Randy Martin (fe, Dpty Clk) (Entered: 10/30/1999)
11/03/1999	<u>20</u>	NOTICE (MAP of Athletic Facilities of Sperry Schools) by defendant Sperry Sch Dist 8 (fe, Dpty Clk) (Entered: 11/04/1999)

11/03/1999	<u>21</u>	NOTICE (Inventory of Sports & Related Season) by defendant Sperry Sch Dist 8 (fe, Dpty Clk) (Entered: 11/04/1999)
01/05/2000	<u>22</u>	MINUTE ORDER: by Judge Sven Erik Holmes: IT IS HEREBY ORDERED that an IN-COURT HRG is set for 10:30 a.m. on 1/6/00 . (cc: all counsel) (djh, Dpty Clk) (Entered: 01/05/2000)
01/06/2000	<u>23</u>	MINUTES: by Judge Sven Erik Holmes Status hearing held on 1/6/00 ; pltf Randy Martin present; settlement agrmt exec & filed in opn ct; appl for fees due 1/24/00; resp due 2/11/00; and repl due 2/21/00. (G. Dorrrough-CR) (djh, Dpty Clk) (Entered: 01/06/2000)
01/06/2000	<u>24</u>	SETTLEMENT AGREEMENT by pties. (SEH-J)(cc: all counsel) (djh, Dpty Clk) (Entered: 01/06/2000)
01/18/2000		TRANSCRIPT of Settlement Hrg before Judge Sven Erik Holmes for date(s) of: 1/6/00 (C/R Glen R. Dorrrough, 5 pgs) (fe, Dpty Clk) (Entered: 01/18/2000)
01/24/2000	<u>25</u>	MOTION by plaintiff Sue Wolf, plaintiff Ray Wolf, plaintiff Catherine Martin, plaintiff Randy Martin for awarding of attorney fees , and for costs (crp, Dpty Clk) (Entered: 01/25/2000)
01/24/2000	<u>26</u>	BRIEF by plaintiff Sue Wolf, plaintiff Ray Wolf, plaintiff Catherine Martin, plaintiff Randy Martin in support of motion for awarding of attorney fees [25-1], of motion for costs [25-2] (crp, Dpty Clk) (Entered: 01/25/2000)
02/11/2000	<u>27</u>	RESPONSE by defendant Sperry Sch Dist 8 to motion for awarding of attorney fees [25-1], to motion for costs [25-2] (fe, Dpty Clk) (Entered: 02/11/2000)
02/22/2000	<u>28</u>	REPLY by plaintiffs to dfdt's response (brf in opp) to pltfs' motion for awarding of attorney fees [25-1] and costs [25-2] (sac, Dpty Clk) (Entered: 02/24/2000)
03/20/2000	<u>29</u>	ORDER by Judge Sven Erik Holmes re motion for awarding of attorney fees [25-1] and motion for costs [25-2]; Crt awards pltfs fees in total amnt of \$30,846.00 and costs in total amnt of \$2,027.01 (cc: all counsel) (crp, Dpty Clk) (Entered: 03/20/2000)
04/11/2000	<u>30</u>	JUDGMENT: by Judge Sven Erik Holmes, that the pltfs recover from dfdts the sum of \$32,873.01 w/post-jgm int at the rate of 6.197% (cc: all counsel) (seal, Dpty Clk) (Entered: 04/11/2000)
08/14/2000	<u>31</u>	MINUTE ORDER: by Judge Sven Erik Holmes: IT IS HEREBY ORDERED that a STATUS HRG is set for 11:30 a.m. on 8/16/00 (cc: all counsel) (djh, Dpty Clk) (Entered: 08/14/2000)
08/16/2000	<u>32</u>	MINUTES: by Judge Sven Erik Holmes ; Miscellaneous hrg held 8/16/00 ; Discussion re: proper proced on how to dismiss lawsuit & how to keep jurisdctn for enforcement of jdgmt- pre-existing deflt provision is in stlmt agrmt - pties to prep agrd upon addendum & dismiss & due 8/23/00. (no CR-recorded on tape) (djh, Dpty Clk) (Entered: 08/16/2000)
08/28/2000	<u>33</u>	MINUTE ORDER: by Judge Sven Erik Holmes: IT IS HEREBY ORDERED that a STATUS HRG is set for 2:00 p.m. on 9/13/00 (cc: all counsel) (djh, Dpty Clk) (Entered: 08/28/2000)
09/15/2000		PROPOSED Addendum to Stlmt Agreement submitted by defendant John Doe, defendant Jerry Burd, defendant Sperry Sch Dist 8, plaintiff Sue Wolf, plaintiff Ray Wolf, plaintiff Catherine Martin, plaintiff Randy Martin (forwarded to seh-j) (sac, Dpty Clk) Modified on 09/18/2000 (Entered: 09/18/2000)
09/19/2000	<u>34</u>	ORDER by Judge Sven Erik Holmes granting addendum to stlmt agrmt (cc: faxed to all counsel) (sac, Dpty Clk) (Entered: 09/20/2000)
10/20/2000	<u>35</u>	JOINT STIPULATION OF DISMISSAL W/PREJ by pltfs and dfdt Independent Sch District No. 8 of Tulsa Cty (crp, Dpty Clk) (Entered: 10/20/2000)
11/27/2000	<u>36</u>	STIPULATION OF DISMISSAL by defendant John Doe, plaintiff Sue Wolf, plaintiff Ray Wolf, plaintiff Catherine Martin, plaintiff Randy Martin ; CASE DISMISSED (sac, Dpty Clk) (Entered: 11/28/2000)