

CLOSED

**U.S. District Court**  
**Southern District of Florida (West Palm Beach)**  
**CIVIL DOCKET FOR CASE #: 9:06-cv-80297-DMM**

U.S. - EEOC v. Dias Landscapes  
Assigned to: Judge Donald M. Middlebrooks  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 03/30/2006  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States Equal Employment  
Opportunity Commission**

represented by **Lauren Gayle Dreilinger**  
Equal Employment Opportunity  
Commission  
Miami District Office  
2 S Biscayne Boulevard  
2700 One Biscayne Tower  
Miami, FL 33131-2483  
305-808-1795  
Fax: 305-808-1835  
Email: lauren.dreilinger@eoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Plaintiff**

**Charles Moise**

represented by **Maria Kate Boehringer**  
Boehringer Law Office PA  
1515 N Federal Highway  
Suite 300  
Boca Raton, FL 33432  
561-392-2120  
Fax: 392-2250  
Email: maria.boehringer@eoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Auguste Hilaire**

represented by **Maria Kate Boehringer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Odolphe Raymond**

represented by **Maria Kate Boehringer**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Dias Landscapes Corporation**

represented by **Michael Francis McAuliffe**  
 McAuliffe Law Group, PL  
 1601 Forum Place  
 Centurion Tower Suite 300  
 West Palm Beach, FL 33401  
 561-712-4746  
 Fax: 712-4964  
 Email: michael@mcauliffelawgroup.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robin Lee Rosenberg**  
 McAuliffe Law Group, PL  
 1601 Forum Place  
 Centurion Tower Suite 300  
 West Palm Beach, FL 33401  
 561-712-4746  
 Fax: 712-4964  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

| <b>Date Filed</b> | <b>#</b>                 | <b>Docket Text</b>  |
|-------------------|--------------------------|---|
| 03/30/2006        | <a href="#"><u>1</u></a> | COMPLAINT filed; Magistrate Judge Johnson (dg, Deputy Clerk) (Entered: 04/03/2006)  |
| 03/30/2006        | <a href="#"><u>2</u></a> | SUMMONS(ES) issued for Dias Landscapes (dg, Deputy Clerk) (Entered: 04/03/2006)   |
| 04/04/2006        | <a href="#"><u>3</u></a> | ORDER OF REFERENCE AND SETTING TRIAL DATE IN A CIVIL CASE: ORDER set Jury trial for 9:00 11/27/06 before Judge Donald M. Middlebrooks , set calendar call for 1:15 11/22/06 before Judge Donald M. Middlebrooks ( Signed by Judge Donald M. Middlebrooks on 4/4/06) [EOD Date: 4/6/06] (Former Deputy Clerk) (Entered: 04/06/2006)  |
| 04/04/2006        | <a href="#"><u>3</u></a> | ORDER OF REFERNECE: Pursuant to 28 USC Section 636(b)(1)(A) and the Magistrate Judge Rules of the local rules of the Southern District of Florida this cause is hereby referred to US Magistrate Judge Linne R. Johnson to conduct a scheduling conference pursuant to local rule 16.1.B, for the purpose of setting pre-trial deadline dates, and for determing possibile consent to the jurisdiction of the Magistrate Judge for trial (Signed by Judge Donald M. Middlebrooks on |

|            |                    |  |
|------------|--------------------|--|
|            |                    | 4/4/06) [EOD Date: 4/6/06] (Former Deputy Clerk) (Entered: 04/06/2006)   |
| 04/11/2006 | <a href="#">4</a>  | ORDER set scheduling conference for 11:30 5/23/06 before Magistrate Judge Linnea R. Johnson ( Signed by Magistrate Judge Linnea R. Johnson on 4/11/06) [EOD Date: 4/14/06] (cj, Deputy Clerk) (Entered: 04/14/2006)  |
| 04/27/2006 | <a href="#">5</a>  | MOTION by U.S. - EEOC (Attorney ) modify trial date and scheduling order (cj, Deputy Clerk) (Entered: 04/27/2006)  |
| 04/28/2006 | <a href="#">6</a>  | NOTICE of conflict by Dias Landscapes (cj, Deputy Clerk) (Entered: 04/28/2006)   |
| 05/02/2006 | <a href="#">7</a>  | ORDER granting [5-1] motion modify trial date and scheduling order Resetting Jury trial for 1/22/07 before Judge Donald M. Middlebrooks , and Reset calendar call for 1:15 1/15/07 before Judge Donald M. Middlebrooks (Signed by Judge Donald M. Middlebrooks on 5/02/06) [EOD Date: 5/3/06] (bb, Deputy Clerk) (Entered: 05/03/2006) |
| 05/16/2006 | <a href="#">8</a>  | JOINT Scheduling Report of Scheduling Meeting by U.S. - EEOC, Dias Landscapes (cj, Deputy Clerk) (Entered: 05/16/2006)   |
| 05/17/2006 | <a href="#">9</a>  | ORDER [7-3] order set calendar call for 1:15 1/17/07 before Judge Donald M. Middlebrooks (Signed by Judge Donald M. Middlebrooks on 5/17/06) [EOD Date: 5/18/06] (ck, Deputy Clerk) (Entered: 05/18/2006)  |
| 05/19/2006 | <a href="#">10</a> | Answer and affirmative defenses by Dias Landscapes (Attorney Robin Lee Rosenberg, Michael Francis McAuliffe), (cj, Deputy Clerk) (Entered: 05/19/2006)   |
| 05/23/2006 | <a href="#">11</a> | Minutes of Scheduling Conference held before Magistrate Judge Linnea R. Johnson on 5/23/06; Court Reporter Name or Tape #: LRJ-06-25-950 (eg, Deputy Clerk) (Entered: 05/23/2006)  |
| 05/23/2006 | <a href="#">12</a> | RETURN OF SERVICE executed for Dias Landscapes on 4/29/06 Answer due on 5/19/06 for Dias Landscapes (ss, Deputy Clerk) (Entered: 05/23/2006)   |
| 05/23/2006 | <a href="#">13</a> | SCHEDULING ORDER setting Discovery cutoff 10/30/06 ; Deadline for filing of all motions by 11/13/06 Memos of law due on or before 11/13/06 Pretrial Stipulation due on or before 12/26/06 ( Signed by Magistrate Judge Linnea R. Johnson on 5/23/06) [EOD Date: 5/25/06] CCAP (lh, Deputy Clerk) (Entered: 05/25/2006)                 |
| 05/23/2006 | <a href="#">13</a> | ORDER referring case to mediation. 15 days to appoint mediator ( Signed by Magistrate Judge Linnea R. Johnson on 5/23/06) [EOD Date: 5/25/06] (lh, Deputy Clerk) (Entered: 05/25/2006)   |
| 06/08/2006 | <a href="#">14</a> | NOTICE of selection of Donald Spero as Mediator by U.S. - EEOC (gp, Deputy Clerk) (Entered: 06/09/2006)  |
| 06/09/2006 | <a href="#">15</a> | Witness list by Charles Moise and Auguste Hilaire and Odolphe Raymond (cj, Deputy Clerk) (Entered: 06/12/2006)   |
| 06/12/2006 | <a href="#">16</a> | ORDER on motion to inervene by Charles Moise, Auguste Hilaire and Odolphe Raymond ( Signed by Judge Donald M. Middlebrooks on 6/12/06) [EOD Date: 6/14/06] (cj, Deputy Clerk) (Entered: 06/14/2006)  |

|            |                    |  |
|------------|--------------------|--|
| 06/12/2006 | <a href="#">17</a> | NOTICE of attorney appearance for Charles Moise, Auguste Hilaire, Odolphe Raymond by (cj, Deputy Clerk) (Entered: 06/14/2006)  |
| 06/12/2006 | <a href="#">18</a> | MOTION with memorandum in support by Charles Moise, Auguste Hilaire, Odolphe Raymond (Attorney ) to intervene (cj, Deputy Clerk) (Entered: 06/14/2006)   |
| 07/31/2006 | <a href="#">19</a> | Answer and affirmative defenses by Dias Landscapes jury demand (rb, Deputy Clerk) (Entered: 08/02/2006)  |
| 09/18/2006 | <a href="#">20</a> | NOTICE of Mediation Hearing on 11/02/06 Donald Spero added as mediator (dj, Deputy Clerk) (Entered: 09/20/2006)  |
| 09/21/2006 | <a href="#">21</a> | MOTION by Dias Landscapes to extend time name expert witness (dj, Deputy Clerk) (Entered: 09/21/2006)  |
| 09/25/2006 | <a href="#">22</a> | ORDER granting [21-1] motion to extend time name expert witness ( Signed by Judge Donald M. Middlebrooks on 9/25/06) [EOD Date: 9/26/06] (rb, Deputy Clerk) (Entered: 09/26/2006)  |
| 10/18/2006 | <a href="#">23</a> | NOTICE of filing Proposed Order Scheduling Mediation by United States Equal Employment Opportunity Commission (lh) (Entered: 10/19/2006)   |
| 10/30/2006 | <a href="#">24</a> | ORDER . Signed by Judge Donald M. Middlebrooks on 10/30/2006. (sw) (Entered: 10/30/2006)   |
| 11/03/2006 | <a href="#">25</a> | NOTICE by Dias Landscapes Corporation <i>Notice of Firm Name Change</i> (McAuliffe, Michael) (Entered: 11/03/2006)   |
| 11/14/2006 | <a href="#">26</a> | REPORT of Mediation Disposition: Settled(Nicholson, Allene) (Entered: 11/14/2006)  |
| 11/16/2006 | <a href="#">27</a> | NOTICE of Settlement by United States Equal Employment Opportunity Commission (Dreilinger, Lauren) (Entered: 11/16/2006)   |
| 12/14/2006 | <a href="#">28</a> | Joint MOTION Entry of Consent Decree by United States Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Dreilinger, Lauren) (Entered: 12/14/2006)   |
| 12/15/2006 | <a href="#">29</a> | ORDER granting <a href="#">28</a> Motion CONSENT DECREE SEE ORDER. Signed by Judge Donald M. Middlebrooks on 12/15/2006. (sw) (Entered: 12/15/2006)  |
| 01/04/2007 | <a href="#">30</a> | NOTICE by United States Equal Employment Opportunity Commission re <a href="#">29</a> Order on Motion for Miscellaneous Relief (Attachments: # <a href="#">1</a> Text of Proposed Order)(Dreilinger, Lauren) (Entered: 01/04/2007) |
| 01/05/2007 | <a href="#">31</a> | ORDER closing case and the Court shall retain jurisdiction to enforce the terms of the Consent Decree . Signed by Judge Donald M. Middlebrooks on 01/04/2007. (bs) (Entered: 01/05/2007)   |

**PACER Service Center**

**Transaction Receipt**

| 06/04/2007 14:30:06    |               |                         |                   |
|------------------------|---------------|-------------------------|-------------------|
| <b>PACER Login:</b>    | hs0328        | <b>Client Code:</b>     | eeoc              |
| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 9:06-cv-80297-DMM |
| <b>Billable Pages:</b> | 3             | <b>Cost:</b>            | 0.24              |

---