

CLOSED, TRLSET

**U.S. District Court
Middle District of Florida (Jacksonville)
CIVIL DOCKET FOR CASE #: 3:04-cv-00978-JHM-MMH**

U.S. Equal Employment Opportunity Commission v. Jax Inns,
Inc.
Assigned to: Senior Judge John H. Moore, II
Referred to: Magistrate Judge Marcia Morales Howard
Cause: 28:451 Employment Discrimination

Date Filed: 09/29/2004
Date Terminated: 03/23/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**U.S. Equal Employment Opportunity
Commission**

represented by **Jennifer N. Brown**
Equal Employment Opportunity
Commission
Miami District Office
One Biscayne Tower
2 S. Biscayne Blvd., Suite 2700
Miami, FL 33131
305/530-6012
Fax: 3055364494
Email: jennifer.brown@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott A. Forman
Littler Mendelson, PC
1 Biscayne Twr - Ste 1500
2 S Biscayne Blvd
Miami, FL 33131
305/400-7500
Fax: 305/603-2552
Email: sforman@littler.com
LEAD ATTORNEY

Intervenor Plaintiff

Malerie Meyers

represented by **Archibald J. Thomas, III**
Archibald J. Thomas, III, P.A.
1301 Riverplace Blvd.
Suite 1640
Jacksonville, FL 32207
904/396-2322
Fax: 904/398-3271
Email: archibald@job-rights.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Jax Inns, Inc.**doing business as
Spindrifter Hotelrepresented by **Jonathan A. Beckerman**Little Mendelson, PC
1 Biscayne Twr - Ste 1500
2 S Biscayne Blvd
Miami, FL 33131
305/400-7500
Fax: 305/418-7368
Email: jabeckerman@littler.com
ATTORNEY TO BE NOTICED**Scott A. Forman**(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/29/2004	<u>1</u>	COMPLAINT against Jax Inns, Inc. ; jury demand , filed by U.S. Equal Employment Opportunity Commission.(SJW,) (Entered: 09/30/2004)
09/29/2004	2	Summons issued as to Jax Inns, Inc.. Consent(s) issued. (SJW,) (Entered: 09/30/2004)
09/30/2004	<u>3</u>	NOTICE of designation under Local Rule 3.05 - track 2. Signed by Deputy Clerk on 9/30/2004. (VMF) (Entered: 09/30/2004)
11/08/2004	<u>4</u>	RETURN of service executed on 10/23/04 as to Jax Inns, Inc.. (SJW,) (Entered: 11/09/2004)
11/09/2004	<u>5</u>	MOTION to intervene by Malerie Meyers. (Attachments: # <u>1</u> proposed intervenor's complaint)(SJW,) (Entered: 11/10/2004)
11/12/2004	<u>6</u>	<i>Defendant's</i> ANSWER to complaint <i>and Affirmative Defenses</i> by Jax Inns, Inc..(Forman, Scott) (Entered: 11/12/2004)
11/15/2004	<u>7</u>	INTERESTED PERSONS ORDER. Certificate of Interested Persons and Corporate Disclosure Statements due within 14 days. Signed by Judge Marcia Morales Howard on 11/15/2004. (JLW) (Entered: 11/15/2004)
11/19/2004	<u>8</u>	NOTICE by Jax Inns, Inc. re <u>5</u> MOTION to intervene <i>of Non-Objection</i> (Forman, Scott) (Entered: 11/19/2004)
11/29/2004	<u>9</u>	CERTIFICATE of interested persons and corporate disclosure statement by Jax Inns, Inc.. (Forman, Scott) (Entered: 11/29/2004)
11/30/2004	<u>10</u>	CERTIFICATE of interested persons and corporate disclosure statement by U.S. Equal Employment Opportunity Commission. (Brown, Jennifer) (Entered: 11/30/2004)

11/30/2004	11	ORDER granting 5 Motion to intervene. Signed by Judge John H. Moore II on 11/30/2004. (CDF) (Entered: 11/30/2004)
11/30/2004	15	INTERVENOR'S COMPLAINT; jury trial demand, filed by Malerie Meyers.(SJW,) (Entered: 01/13/2005)
12/20/2004	12	<i>Defendant's ANSWER to complaint and Affirmative Defenses to Intervenor's Complaint</i> by Jax Inns, Inc..(Forman, Scott) (Entered: 12/20/2004)
01/10/2005	13	CERTIFICATE of interested persons and corporate disclosure statement re 7 Interested persons order by Malerie Meyers. (SJW,) (Entered: 01/10/2005)
01/12/2005	14	CASE MANAGEMENT REPORT. (Brown, Jennifer) (Entered: 01/12/2005)
02/02/2005	16	CASE MANAGEMENT AND SCHEDULING ORDER: Discovery due by 9/30/2005. Joinder of Parties due by 3/7/2005. Dispositive motions due by 11/30/2005. Pretrial statement due by 3/9/2006. Pretrial Conference set for 3/16/2006 10:30 AM in Courtroom 12 D before Senior Judge John H. Moore II. Jury Trial set for the trial term commencing 4/3/2006 in Courtroom 12 D before Senior Judge John H. Moore II.. Signed by Judge John H. Moore II on 2/2/2005. (VMF) (Entered: 02/02/2005)
02/07/2005	17	First MOTION to extend time to 2/28/05 to Respond to Intervenor's First Request for Production and First Set of Interrogatories by Jax Inns, Inc. (Forman, Scott) Modified on 2/8/2005 to correct docket text (SMS). (Entered: 02/07/2005)
02/07/2005	18	Unopposed MOTION for Extension of Time to File <i>To Intervenor's Request for Production of Documents and Intervener's First Set of Interrogatories</i> by Jax Inns, Inc. (Forman, Scott) Modified on 2/8/2005. Counsel contacted and told refile due to an incorrect PDF document attached (JMAP). (Entered: 02/07/2005)
02/07/2005	19	NOTICE by Jax Inns, Inc. of <i>Filing Initial Disclosures</i> (Forman, Scott) Modified on 2/9/2005 (SJW,).(STRIKEN PER ORDER #23) (Entered: 02/07/2005)
02/07/2005	20	Unopposed MOTION for Extension of Time to File Response/Reply to EEOC's First Request for Production and First Set of Interrogatories by Jax Inns, Inc.. (Forman, Scott) (Entered: 02/07/2005)
02/08/2005	21	ORDER granting 20 Motion for Two-Week Extension of Time to Respond to EEOC's First Request for Production of Documents and EEOC's First Set of Interrogatories. Responses due by February 22, 2005. Signed by Judge Marcia Morales Howard on February 8, 2005. (MK) (Entered: 02/08/2005)
02/08/2005	22	ORDER granting 17 Defendant's Unopposed Motion for Two-Week Extension of Time to Respond to Intervener's First Request for Production of Documents and Intervener's First Set of Interrogatories. Responses due February 22, 2005. Signed by Judge Marcia Morales Howard on February 8, 2005. (MK) (Entered: 02/08/2005)
02/08/2005	23	ORDER striking [19] Notice of filing Initial Disclosures filed by Jax Inns, Inc. The clerk is directed to remove this document from the official court record. Signed by Judge Marcia Morales Howard on February 8, 2005. (MK) (Entered: 02/09/2005)

04/27/2005	<u>24</u>	STANDING ORDER - Filing of Documents that Exceed Twenty-Five Pages. Signed by all Jacksonville Judges on 04/27/05.(SMS) (Entered: 04/29/2005)
06/20/2005	<u>25</u>	MOTION for protective order by U.S. Equal Employment Opportunity Commission. (Brown, Jennifer) (Entered: 06/20/2005)
06/23/2005	<u>26</u>	NOTICE of withdrawal of motion by U.S. Equal Employment Opportunity Commission re <u>25</u> MOTION for protective order filed by U.S. Equal Employment Opportunity Commission, (Brown, Jennifer) (Entered: 06/23/2005)
06/24/2005	<u>27</u>	ORDER directing the Clerk of the Court to terminate <u>25</u> Plaintiff EEOC's Motion for Protective Order. Signed by Judge Marcia Morales Howard on 6/24/2005. (JLW) (Entered: 06/24/2005)
07/14/2005	<u>28</u>	Joint MOTION for protective order <i>and Stipulation and Stipulated Protective Order Regarding Confidentiality</i> by U.S. Equal Employment Opportunity Commission, Jax Inns, Inc.. (Forman, Scott) (Entered: 07/14/2005)
07/15/2005	<u>29</u>	ORDER granting, as modified <u>28</u> Joint Motion and Stipulation for Protective Order. Signed by Judge Marcia Morales Howard on 7/15/2005. (JLW) (Entered: 07/15/2005)
07/15/2005	<u>30</u>	STIPULATED PROTECTIVE ORDER REGARDING CONFIDENTIALITY. Signed by Judge Marcia Morales Howard on 7/15/2005. (JLW) (Entered: 07/15/2005)
07/28/2005	<u>31</u>	Joint MOTION for protective order <i>and to Quash Defendant's Subpoenas</i> by U.S. Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Brown, Jennifer) (Entered: 07/28/2005)
07/29/2005	<u>32</u>	ORDER granting, in part, and taking under advisement, in part <u>31</u> Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas. The Motion is granted to the extent that the discovery at issue in the Motion is stayed pending further order of the Court. Defendant's response due no later than the close of business on August 15, 2005. Signed by Judge Marcia Morales Howard on 7/29/2005. (JLW) (Entered: 07/29/2005)
08/15/2005	<u>33</u>	RESPONSE to motion re <u>31</u> Joint MOTION for protective order <i>and to Quash Defendant's Subpoenas</i> filed by Jax Inns, Inc.. (Beckerman, Jonathan) (Entered: 08/15/2005)
08/24/2005	<u>34</u>	ORDER granting, in part, and denying, in part <u>31</u> Plaintiff and Intervenor's Joint Motion for Protective Order and to Quash Defendant's Subpoenas. Signed by Judge Marcia Morales Howard on 8/24/2005. (JLW) (Entered: 08/24/2005)
09/13/2005	<u>35</u>	MOTION to compel <i>Production of Documents for In Camera Inspection and for Attorneys Fees and Costs</i> by Jax Inns, Inc.. (Attachments: # <u>1</u> Exhibit to Motion for in Camera Inspection, to Compel Production of Documents, and for Attorneys Fees and Costs)(Beckerman, Jonathan) (Entered: 09/13/2005)
09/15/2005	<u>36</u>	ORDER taking under advisement <u>35</u> Motion for in camera inspection, to compel production of documents, and for attorney's fees and costs. Plaintiff shall file a response to this motion on or before September 22, 2005. Plaintiff is directed to provide a copy of the documents listed on the privilege log to the undersigned's

		chambers no later than September 22, 2005. Signed by Judge Marcia Morales Howard on September 15, 2005. (MK) (Entered: 09/15/2005)
09/15/2005	37	MOTION to compel by Jax Inns, Inc.. (Attachments: # 1)(Beckerman, Jonathan) (Entered: 09/15/2005)
09/22/2005	38	RESPONSE in opposition re 35 MOTION to compel <i>Production of Documents for In Camera Inspection and for Attorneys Fees and Costs</i> filed by U.S. Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4)(Brown, Jennifer) (Entered: 09/22/2005)
09/23/2005	39	ORDER taking under advisement 37 Motion to compel the intervenor's deposition and for order enlarging the discovery period. Plaintiff and Intervenor are directed to file their responses to this motion no later than the close of business on September 29, 2005. Signed by Judge Marcia Morales Howard on September 23, 2005. (MK) (Entered: 09/23/2005)
09/23/2005	40	ORDER taking under advisement 35 Motion for in camera inspection, to compel production of documents and for attorney's fees and costs. Plaintiff is directed to provide a signed declaration to the undersigned chambers no later than September 29, 2005. Signed by Judge Marcia Morales Howard on September 23, 2005. (MK) (Entered: 09/23/2005)
09/26/2005	41	NOTICE by U.S. Equal Employment Opportunity Commission re 40 Order on motion to compel, of <i>Compliance With Court Orders</i> (Brown, Jennifer) (Entered: 09/26/2005)
09/29/2005	42	RESPONSE in opposition re 37 MOTION to compel <i>the Intevenor's Deposition and for Enlarging the Discovery Period</i> filed by Malerie Meyers, U.S. Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1 July 7 deposition cancellation# 2 Exhibit 2 Defendant's July 8 letter# 3 Exhibit 3 August 25 notice# 4 Exhibit 4 August 10 email# 5 Exhibit 5 August 31 email# 6 Exhibit 6 deposition excerpt)(Brown, Jennifer) (Entered: 09/29/2005)
10/11/2005	43	ORDER granting, in part, and denying, in part 37 Defendant's Motion to Compel the Intervenor's Deposition and for Order Enlarging the Discovery Period. The parties shall have up to and including December 13, 2005 to complete discovery and up to and including January 18, 2006 to file dispositive motions. Signed by Judge Marcia Morales Howard on 10/11/2005. (JLW) (Entered: 10/11/2005)
10/14/2005	44	ORDER granting, in part, and denying, in part 35 Defendant's Motion for In Camera Inspection, to Compel Production of Documetns, and for Attorney's Fees and Costs. Signed by Judge Marcia Morales Howard on 10/14/2005. (JLW) (Entered: 10/14/2005)
10/18/2005	45	AMENDED SCHEDULING ORDER Signed by Judge John H. Moore II on 10/18/2005. (VMF) (Entered: 10/18/2005)
10/26/2005	46	NOTICE of unavailability of counsel by U.S. Equal Employment Opportunity Commission. (Von Greiff, Carla) (Entered: 10/26/2005)
12/12/2005	47	Unopposed MOTION to take deposition from EEOC Investigator, Jimmie Mack <i>Outside of the Discovery Period</i> by Jax Inns, Inc.. (Attachments: # 1 Exhibit Correspondence dated November 9, 2005# 2 Exhibit Correspondence dated November 28, 2005)(Beckerman, Jonathan) (Entered: 12/12/2005)

12/15/2005	48	ORDER granting 47 Defendant's Unopposed Motion for an Order Granting Defendant Leave to Depose the EEOC Investigator, Jimmie Mack, Outside of the Discovery Period. The deposition shall be completed on or before January 6, 2006. Signed by Judge Marcia Morales Howard on 12/15/2005. (JLW) (Entered: 12/15/2005)
01/06/2006	49	Second MOTION for discovery <i>Unopposed Motion for an Order Granting Defendant Leave to Depose the EEOC Investigator, Jimmie Mack, Outside of the Discovery Period</i> by Jax Inns, Inc.. (Attachments: # 1 Exhibit Exhibits to Defendant's Second Unopposed Motion for An Order Granting Defendant Leave to Depose the EEOC Investigator, Jimmie Mack, Outside of the Discovery Period)(Beckerman, Jonathan) (Entered: 01/06/2006)
01/09/2006	50	NOTICE by U.S. Equal Employment Opportunity Commission re 49 Second MOTION for discovery <i>Unopposed Motion for an Order Granting Defendant Leave to Depose the EEOC Investigator, Jimmie Mack, Outside of the Discovery Period Plaintiff EEOC's Notice of Clarification of Position</i> (Brown, Jennifer) (Entered: 01/09/2006)
01/10/2006	51	ORDER granting 49 Defendant's Second Unopposed Motion for an Order Granting Defendant Leave to Depose the EEOC Investigator, Jimmie Mack, Outside of the Discovery Period. The deposition shall be completed before January 20, 2006. Signed by Judge Marcia Morales Howard on 1/10/2006. (JLW) (Entered: 01/10/2006)
01/18/2006	52	MOTION for summary judgment by Jax Inns, Inc.. (Beckerman, Jonathan) Modified on 3/10/2006 (SJW,). (STRICKEN per order #60) (Entered: 01/18/2006)
01/18/2006	53	MEMORANDUM in support re [52] Motion for summary judgment filed by Jax Inns, Inc.. (Attachments: # (1) Exhibit Exhibits 1-2# (2) Exhibit Exhibit 3)(Beckerman, Jonathan) Modified on 3/10/2006 (SJW,). (STRICKEN per order #60) (Entered: 01/18/2006)
01/18/2006	54	STATEMENT of undisputed facts <i>in support of Motion for Summary Judgment</i> by Jax Inns, Inc... (Attachments: # (1) Exhibit 1# (2) Exhibit 1_1# (3) Exhibit 1_2# (4) Exhibit 1_3# (5) Exhibit 2-6# (6) Exhibit 7-9# (7) Exhibit 9-15)(Beckerman, Jonathan) Modified on 3/10/2006 (SJW,). (STRICKEN per order #60) (Entered: 01/18/2006)
01/19/2006	55	DEPOSITION of Malerie Meyers taken on 11/29/05 re: [52] MOTION for summary judgment by Jax Inns, Inc.. (Attachments: # 1 Exhibit Continuation of deposition transcript of Malerie Meyers# 2 Exhibit Continuation of deposition of Malerie Meyers# 3 Exhibit Continuation of Deposition transcript of Malerie Meyers# 4 Exhibit Continuation of Deposition Transcript of Malerie Meyers# 5 Exhibit Continuation of deposition transcript of Malerie Meyers)(Beckerman, Jonathan) (Entered: 01/19/2006)
01/19/2006	56	DEPOSITION of Vijay Patel taken on September 19, 2005 re: [52] MOTION for summary judgment by Jax Inns, Inc.. (Attachments: # 1 Exhibit Deposition transcript of Vijay Patel# 2 Exhibit Continuation of deposition transcript of Vijay Patel# 3 Exhibit Continuation of deposition transcript of Vijay Patel# 4 Exhibit Continuation of deposition transcript of Vijay Patel# 5 Exhibit Continuation of

		deposition transcript of Vijay Patel# 6 Exhibit Continuation of deposition transcript of Vijay Patel)(Beckerman, Jonathan) (Entered: 01/19/2006)
01/19/2006	57	DEPOSITION of Jimmie Mack taken on July 27, 2005 re: [52] MOTION for summary judgment by Jax Inns, Inc.. (Attachments: # 1 Exhibit Deposition transcript of Jimmie Mack# 2 Exhibit Continuation of deposition transcript of Jimmie Mack# 3 Exhibit Continuation of deposition transcript of Jimmie Mack# 4 Exhibit Continuation of Deposition transcript of Jimmie Mack# 5 Exhibit Continuation of deposition transcript of Jimmie Mack# 6 Exhibit Continuation of deposition transcript of Jimmie Mack# 7 Exhibit Continuation of deposition transcript of Jimmie Mack)(Beckerman, Jonathan) (Entered: 01/19/2006)
02/06/2006	58	RESPONSE in opposition re [52] MOTION for summary judgment <i>and memorandum of law</i> filed by Malerie Meyers. (Attachments: # 1 Exhibit (Unemployment documents)# 2 Exhibit Def EEOC Position Statement# 3 Exhibit Def Answer to Interrogatories# 4 Exhibit Twiddy Affidavit)(Thomas, Archibald) (Entered: 02/06/2006)
02/06/2006	59	RESPONSE in opposition re [52] MOTION for summary judgment filed by U.S. Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11# 12 Exhibit 12# 13 Exhibit 13# 14 Exhibit 14# 15 Exhibit 15# 16 Exhibit 16# 17 Exhibit 17)(Brown, Jennifer) (Entered: 02/06/2006)
03/09/2006	60	ORDER striking Defendant's Motion for Summary Judgment (Dkt. 52), Memorandum in Support (Dkt. 53) and Statement of Undisputed Material Facts (Dkt. 54). Signed by Judge John H. Moore II on 3/9/2006. (SA,) (Entered: 03/09/2006)
03/22/2006	61	MEDIATION REPORT Hearing held on 3/10/06 Hearing outcome: settled(SJW,) (Entered: 03/22/2006)
03/22/2006	62	ORDER dismissing case with prejudice Signed by Judge John H. Moore II on 3/22/2006. (VMF) (Entered: 03/22/2006)
04/13/2006	63	NOTICE by U.S. Equal Employment Opportunity Commission <i>NOTICE OF FILING CONSENT DECREE</i> (Attachments: # 1)(Gomez, Maritza) (Entered: 04/13/2006)
04/14/2006	64	AMENDED DOCUMENT by U.S. Equal Employment Opportunity Commission. <i>Amended Ex. C to Consent Decree</i> . (Attachments: # 1)(Curtin, Nora) (Entered: 04/14/2006)
04/28/2006	65	CONSENT DECREE Signed by Judge John H. Moore II on 4/27/2006. (VMF) (Entered: 04/28/2006)

PACER Service Center
Transaction Receipt
06/07/2007 13:08:01

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	3:04-cv-00978-JHM-MMH
Billable Pages:	5	Cost:	0.40
