

CLOSED, GGB

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:00-cv-02551-GET**

Equal Employment v. Marvin Black & Assoc
Assigned to: Judge G. Ernest Tidwell
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/29/2000
Date Terminated: 02/19/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Charles T. Bell, Jr.**
Equal Employment Opportunity
Commission
Atlanta District Office-Legal Unit
100 Alabama Street, S.W.
4R30 Atlanta Federal Center
Atlanta, GA 30303-8704
404-562-6932
TERMINATED: 10/30/2002
LEAD ATTORNEY

Cynthia Leigh Montgomery
Equal Employment Opportunity
Commission
Atlanta District Office-Legal Unit
100 Alabama Street, S.W.
4R30 Atlanta Federal Center
Atlanta, GA 30303-8704
404-562-6932
TERMINATED: 10/15/2002
LEAD ATTORNEY

Steven Mark Tapper
U.S. Department of Homeland Security
1230 Peachtree Street.
Suite 1900
Atlanta, GA 30309
404-942-2566
Email: steve.tapper@dhs.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Egna Diaz

represented by **Douglas Richard Powell**
McGee & Oxford

3340 Peachtree Road, NE
2800 Tower Place
Atlanta, GA 30326
404-231-1935
Email: dpowell@hintonpowell.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Yosi Martinez

represented by **Douglas Richard Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Aracely de la Paz Lopez

represented by **Douglas Richard Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Flora Barrios-Galindo

represented by **Douglas Richard Powell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Marvin Black & Associates, LLC

represented by **David C. Ates**
Miller & Billips
730 Peachtree Street
Suite 750
Atlanta, GA 30308
404-969-4101
Fax: 404-969-4141
Email: dates@davidateslawfirm.com
TERMINATED: 11/28/2001
LEAD ATTORNEY

Harlan Stuart Miller, III
Miller Billips & Ates
730 Peachtree Street
Suite 750
Atlanta, GA 30308
404-969-4101
Email: harlansmiller@gmail.com
TERMINATED: 11/28/2001
LEAD ATTORNEY

Timothy Winfred Bailey
 Bailey Davis, LLC
 Building 300, Suite 320
 506 Roswell Street
 Marietta, GA 30060
 770-293-1213
 Fax: 770-293-1216
 Email: timbailey@baileydavis.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/29/2000	1	COMPLAINT filed. Consent form to proceed before U.S. magistrate and pretrial instructions given to attorney; jury demand (bsm) (Entered: 10/02/2000)
09/29/2000	2	ANSWERS TO MANDATORY DISCLOSURES by plaintiff (bsm) (Entered: 10/02/2000)
09/29/2000		CASE REFERRED to Mag Judge Gerrilyn G. Brill (Calendar sheets forwarded) (bsm) (Entered: 10/02/2000)
11/30/2000	3	ANSWER by defendant to complaint [1-1] Discovery ends 4/29/01 (bsm) (Entered: 12/01/2000)
02/16/2001	4	Preliminary Statement and Scheduling Order. (to GGB) (bsm) (Entered: 02/16/2001)
02/20/2001		SCHEDULING ORDER by Mag Judge Gerrilyn G. Brill with [4-1] preliminary statement (cc) (bsm) (Entered: 02/22/2001)
04/19/2001	5	MOTION by plaintiff to intervene as proper party plaintiffs with brief in support and proposed order. (crc) (Entered: 04/23/2001)
04/23/2001		Proposed Consent order extending time for discovery thru 07/30/01. (to GGB). (crc) (Entered: 04/24/2001)
04/23/2001	6	CONSENT ORDER by Mag Judge Gerrilyn G. Brill, extending discovery. Discovery ends 7/30/01 (cc) (er) (Entered: 04/30/2001)
05/11/2001		SUBMITTED to Mag Judge Gerrilyn G. Brill on [5-1] motion to intervene as proper party plaintiffs (bsm) (Entered: 05/11/2001)
05/21/2001	7	ORDER by Mag Judge Gerrilyn G. Brill GRANTING [5-1] Egna Diaz, Yosi Martinez, Aracely de la Paz Lopez and Flora Barrios-Galindo's motion to intervene as proper party plas. (cc) (er) (Entered: 05/23/2001)
06/18/2001	8	Attorney appearance for plaintiff by Cynthia Leigh Montgomery (lme) (Entered: 06/19/2001)
07/16/2001	9	Return of service executed 7/15/01 as to Marvin Black & Assoc on

		original complaint (bsm) (Entered: 07/19/2001)
07/24/2001		Proposed consent order extending discovery (to GGB) (bsm) (Entered: 07/25/2001)
08/01/2001	10	CONSENT ORDER by Mag Judge Gerrilyn G. Brill extending discovery, discovery ends 10/28/01 (cc) (bsm) (Entered: 08/02/2001)
10/30/2001	11	MOTION by plaintiff to compel defendant to make witness available for deposition with brief in support. (bsm) (Entered: 10/30/2001)
10/31/2001	12	MOTION by defendant to extend time for discovery for 30 days with brief in support. (bsm) (Entered: 11/01/2001)
10/31/2001	13	MOTION to withdraw by David C. Ates and Harlan Stuart Miller III as attorney for Marvin Black & Assoc with brief in support. (bsm) (Entered: 11/01/2001)
11/13/2001	14	MOTION by defendant to extend time to respond to [11-1] motion to compel defendant to make witness available for deposition thru 12/4/1 (crc) (Entered: 11/15/2001)
11/20/2001		SUBMITTED to Mag Judge Gerrilyn G. Brill on [12-1] motion to extend time for discovery for 30 days, [13-1] motion to withdraw by David C. Ates and Harlan Stuart Miller III as attorneys for Marvin Black & Assoc and [14-1] motion to extend time to respond to [11-1] motion to compel defendant to make witness available for deposition thru 12/4/1 (bsm) (Entered: 11/20/2001)
11/28/2001	15	ORDER by Mag Judge Gerrilyn G. Brill DEFERRING ruling on [11-1] motion to compel defendant to make witness available for deposition, GRANTING [12-1] motion to extend time for discovery for 30 days and extending discovery until 1/31/02 due to defendant's counsel withdrawing, GRANTING [13-1] motion to withdraw by David C. Ates and Harlan Stuart Miller III as attorney for Marvin Black & Assoc, defendant DIRECTED to notify the clerk w/in 20 days of date of this order of appointment of another attorney to represent the company or to represent itself, GRANTING [14-1] motion to extend time to respond to [11-1] motion to compel, extension granted until 1/15/02 (cc) (bsm) (Entered: 11/29/2001)
01/17/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [11-1] motion to compel defendant to make witness available for deposition (bsm) (Entered: 01/17/2002)
01/25/2002	16	ORDER by Mag Judge Gerrilyn G. Brill, GRANTING [11-1] motion to compel defendant to make witness available for deposition, Haine Miller ORDERED to appear for a deposition, GRANTING plaintiff's request for expenses incurred in bringing motion to compel (cc) (bsm) (Entered: 01/28/2002)
02/04/2002	17	Itemization of expenses incurred by plaintiff pursuant to [16-1] order (bsm) (Entered: 02/04/2002)

02/04/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [16-1] order (bsm) (Entered: 02/04/2002)
03/29/2002	18	ORDER by Mag Judge Gerrilyn G. Brill, the court previously granted plaintiff's motion for sanctions and awarded reasonable expenses and fees because of defendant's failure to comply with plaintiff's discovery requests, plaintiff AWARDED \$1,411.52 fees and costs (cc) (bsm) (Entered: 03/29/2002)
04/09/2002	19	MOTION by plaintiff for leave to file motion for sum.jgm. out of time with proposed motion for sum.jgm. (bsm) Modified on 04/11/2002 (Entered: 04/10/2002)
04/09/2002	20	Notice of filing discovery by plaintiff, with request to defendant to file discovery (bsm) (Entered: 04/10/2002)
04/09/2002		Deposition of ARACELY DE LA PAZ taken for plaintiff (bsm) (Entered: 04/10/2002)
04/26/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [19-1] motion for leave to file motion for sum.jgm. out of time (bsm) (Entered: 04/26/2002)
05/06/2002	21	ORDER by Mag Judge Gerrilyn G. Brill GRANTING [19-1] motion for leave to file motion for sum.jgm. out of time; Clerk is directed to file the attached motion for summary judgment (cc) (ck) (Entered: 05/07/2002)
05/06/2002	22	MOTION by Equal Employment for summary judgment with brief, statement of material facts, and relevant deposition excerpts in support. (Notice sent to counsel) (ck) (Entered: 05/07/2002)
05/06/2002		Terminated submissions. (ck) (Entered: 05/07/2002)
05/20/2002	23	MOTION by intervenor-plaintiffs to join plaintiff's motion for leave to file motion for sum.jgm. and motion for sum.jgm. with brief in support. (bsm) (Entered: 05/28/2002)
05/28/2002	24	Attorney appearance for defendant by Timothy Winfred Bailey (bsm) (Entered: 05/28/2002)
05/28/2002	25	Joint MOTION to extend time until 6/17/02 to respond to [22-1] motion for summary judgment (to GGB) (bsm) (Entered: 05/28/2002)
05/28/2002	26	CONSENT ORDER by Mag Judge Gerrilyn G. Brill GRANTING [25-1] joint motion to extend time until 6/17/02 to respond to [22-1] motion for summary judgment, [22-1] motion for summary judgment to be submitted on 6/19/02 (cc) (bsm) (Entered: 05/30/2002)
06/12/2002	27	Unopposed MOTION by defendant to extend time until 8/1/02 to respond to [22-1] motion for summary judgment with brief in support. (to GGB) (bsm) Modified on 06/12/2002 (Entered: 06/12/2002)
06/13/2002	28	ORDER by Mag Judge Gerrilyn G. Brill GRANTING [27-1] motion to extend time until 8/1/02 to respond to [22-1] motion for summary judgment, [22-1] motion for summary judgment to be submitted on 8/3/02 (cc) (bsm) (Entered: 06/13/2002)

08/01/2002	29	Memorandum by defendant in opposition to [22-1] motion for summary judgment, with statement of material facts, exhibits and response to plaintiff's statement of material facts (bsm) (Entered: 08/02/2002)
08/01/2002	30	Notice of filing depositions by defendant. (bsm) (Entered: 08/02/2002)
08/01/2002	31	Deposition of FLORA BARRIOS-GALINDO taken for defendant (bsm) (Entered: 08/02/2002)
08/01/2002	32	Deposition of EDNA DIAZ taken for defendant (bsm) (Entered: 08/02/2002)
08/01/2002	33	Deposition of YOSI MARTINEZ taken for defendant (bsm) (Entered: 08/02/2002)
08/07/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [23-1] motion to join plaintiff's motion for leave to file motion for sum.jgm. and motion for sum.jgm. and [22-1] motion for summary judgment (bsm) (Entered: 08/07/2002)
08/16/2002	34	MOTION by plaintiff to strike [29-1] declarations of Haine Miller and Miguel Morales in toto and the inadmissible portions of the declaration of Michael M. Black with brief in support. (bsm) (Entered: 08/19/2002)
08/16/2002	35	Reply brief to [22-1] motion for summary judgment . (bsm) (Entered: 08/19/2002)
08/30/2002	36	Memorandum by defendant in opposition to [34-1] motion to strike [29-1] declarations of Haine Miller and Miguel Morales in toto and the inadmissible portions of the declaration of Michael M. Black (bsm) (Entered: 08/30/2002)
09/16/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [34-1] motion to strike [29-1] declarations of Haine Miller and Miguel Morales in toto and the inadmissible portions of the declaration of Michael M. Black (file in chambers) (bsm) (Entered: 09/16/2002)
09/16/2002	37	Reply brief to [34-1] motion to strike [29-1] declarations of Haine Miller and Miguel Morales in toto and the inadmissible portions of the declaration of Michael M. Black by plaintiff. (bsm) (Entered: 09/17/2002)
09/17/2002	38	MOTION by plaintiff for leave to file supplemented reply brief in support of motion to strike declarations with proposed supplemented reply brief (bsm) (Entered: 09/17/2002)
10/01/2002	39	ORDER & NON-FINAL REPORT AND RECOMMENDATION by Mag Judge Gerrilyn G. Brill GRANTING [23-1] motion to join plaintiff's motion for leave to file motion for sum.jgm. and motion for sum.jgm., GRANTING IN PART AND DENYING IN PART [34-1] motion to strike [29-1] declarations of Haine Miller and Miguel Morales, GRANTING [38-1] motion for leave to file supplemented reply brief in of motion to strike declarations, RECOMMEND DENYING [22-1] motion for summary judgment; if plaintiff wishes to pursue sanctions

		against defendant, affidavit and supporting argument due w/in 20 days of date of this order, defendant will have 10 days thereafter to respond, with order for service (Submission of RR due 11/5/02) (bsm) (Entered: 10/02/2002)
10/08/2002	40	MOTION by plaintiff for sanctions with brief in support. (bsm) (Entered: 10/09/2002)
10/08/2002	41	Itemization of expenses incurred in moving for sum.jgm. by plaintiff. (bsm) (Entered: 10/09/2002)
10/15/2002	42	Notice of withdrawal of Cynthia L. Montgomery as counsel for plaintiff. (bsm) (Entered: 10/15/2002)
10/28/2002	43	Response by defendant in opposition to [40-1] motion for sanctions (bsm) (Entered: 10/29/2002)
10/30/2002	44	Certification of Consent to Substitution of Counsel for Equal Employment, Steven Mark Tapper replacing Cynthia Leigh Montgomery and Charles T. Bell (bsm) (Entered: 10/30/2002)
11/02/2002		SUBMITTED to Mag Judge Gerrilyn G. Brill on [41-1] file notice of expenses incurred and [40-1] motion for sanctions (bsm) (Entered: 11/02/2002)
11/13/2002		SUBMITTED to Judge G. E. Tidwell on [39-1] report & recommendation and [22-1] motion for summary judgment (bsm) (Entered: 11/13/2002)
11/13/2002	45	REPLY by plaintiff to response to [40-1] motion for sanctions (bsm) (Entered: 11/13/2002)
11/14/2002	46	ORDER by Judge G. E. Tidwell ADOPTING [39-1] report & recommendation as the order of this court DENYING [22-1] motion for summary judgment by Equal Employment (cc) (bsm) (Entered: 11/15/2002)
01/15/2003	47	ORDER by Mag Judge Gerrilyn G. Brill, parties ORDERED to file proposed consolidated pretrial order w/in 10 days of receipt of this order , [47-1] order to be submitted on 2/13/03 if pretrial order not received (cc) (bsm) (Entered: 01/16/2003)
01/27/2003	48	Joint MOTION to extend time to file pretrial order with proposed order (to GGB) (bsm) (Entered: 01/28/2003)
01/30/2003	49	CONSENT ORDER by Mag Judge Gerrilyn G. Brill GRANTING [48-1] joint motion to extend time to file pretrial order, pre-trial order due on 2/7/03 (cc) (bsm) (Entered: 01/31/2003)
02/07/2003		Proposed pre-trial order received (to GGB) (ck) (Entered: 02/10/2003)
02/13/2003		Proposed consent decree by plaintiff Equal Employment, and defendant Marvin Black & Assoc. (to GET) (slc) (Entered: 02/14/2003)
02/19/2003	50	CONSENT DECREE in settlement & compromise of disputed claims of

		alleged retaliation. Defendant, in settlement, shall provide Plaintiff-Intervenors a total of \$20,000.00, divided as follows: \$10,000.00 to Egna Diaz; \$3,333.34 to Yosi Martinez; \$3,333.33 to Aracely De La Paz Lopez; and \$3,333.33 to Flora Barrios-Galindo. Payment is to be made in one cashier's check to Hinton & Powell & the plaintiff-intervenors on or before 2/17/03. (cc) (ck) (Entered: 02/24/2003)
02/19/2003		Case terminated. (ck) (Entered: 02/24/2003)
02/19/2003		Terminated submissions. (ck) (Entered: 02/24/2003)
02/19/2003		Completed referral to Mag Judge Gerrilyn G. Brill (ck) (Entered: 02/24/2003)

PACER Service Center			
Transaction Receipt			
06/11/2007 12:21:28			
PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	1:00-cv-02551-GET
Billable Pages:	4	Cost:	0.32