

4months, CLOSED

**U.S. District Court
Northern District of Georgia (Rome)
CIVIL DOCKET FOR CASE #: 4:04-cv-00205-JEC**

Koger v. Texaco, Inc. et al
Assigned to: Judge Julie E. Carnes
Case: 1:04-cv-02060-TWT
Case in other court: Superior Court of Catoosa County,
04cv00797
Cause: 28:1441 Petition for Removal- Civil Rights Act

Date Filed: 08/30/2004
Date Terminated: 08/09/2007
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Lejean Koger
*Individually and on behalf of a class of
similarly situated persons*

represented by **Bonny Elizabeth Dickson**
Shumacker Witt Gaither & Whitaker
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V.

Defendant

Texaco, Inc.

represented by **Eric John Marlett**
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770-729-1779
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TERMINATED: 06/13/2008

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Defendant

Shell Oil Company

represented by **Eric John Marlett**
(See above for address)
*TERMINATED: 06/13/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Matthew Francis McGahren
(See above for address)
*TERMINATED: 10/22/2007
LEAD ATTORNEY
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Defendant

Protiva, Inc.

represented by **Eric John Marlett**
(See above for address)
*TERMINATED: 06/13/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Matthew Francis McGahren
(See above for address)
*TERMINATED: 10/22/2007
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Mashud M. Reza

represented by **Eric John Marlett**
(See above for address)
*TERMINATED: 06/13/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Matthew Francis McGahren
(See above for address)
*TERMINATED: 10/22/2007
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Babul Islam
*and all other persons and entities acting
in concert with the named Defendants,*

represented by **Eric John Marlett**
(See above for address)
*TERMINATED: 06/13/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Matthew Francis McGahren
(See above for address)

TERMINATED: 10/22/2007
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/30/2004	<u>1</u>	NOTICE OF REMOVAL with COMPLAINT, SUMMONS, ENTRY of SERVICE(Pretrial instructions attached to service copies and returned to attorney for service.) (Filing fee \$ 150 receipt number 364555), filed by dfts Babul Islam, Protiva, Inc., Mashud M. Reza, Shell Oil Company, Texaco, Inc..(jta) (Entered: 08/31/2004)
08/30/2004	<u>2</u>	ANSWER to Complaint by dfts Babul Islam, Protiva, Inc., Mashud M. Reza, Shell Oil Company, and Texaco, Inc. Discovery ends on 1/27/2005.(jta) (Entered: 08/31/2004)
02/02/2005	<u>3</u>	MOTION for Leave to File Amended Complaint with Brief In Support by Lejean Koger. (Attachments: # <u>1</u> proposed amended cmp)(jta) (Entered: 02/04/2005)
02/04/2005	<u>4</u>	ORDER OF RECUSAL. Judge Harold L. Murphy recused. Case reassigned to Judge Thomas W. Thrash, Jr for all further proceedings. Signed by Judge Harold L. Murphy on 02/04/05. (jta) (Entered: 02/07/2005)
02/25/2005		Submission of Pla's <u>3</u> MOTION for Leave to File Amended Complaint, to District Judge Thomas W. Thrash. (bjj) (Entered: 02/25/2005)
03/03/2005	<u>5</u>	ORDER granting <u>3</u> Motion for Leave to File amended complaint. Signed by Judge Thomas W. Thrash Jr. on 3/2/05. (ss) (Entered: 03/03/2005)
03/03/2005	<u>6</u>	AMENDED COMPLAINT against all defendants filed by pla Lejean Koger.(jta) (Entered: 03/07/2005)
03/17/2005	<u>7</u>	<i>Defendants'</i> ANSWER to Amended Complaint by Protiva, Inc..(McGahren, Matthew) (Entered: 03/17/2005)
03/17/2005	<u>8</u>	<i>Defendants'</i> ANSWER to Amended Complaint by Babul Islam.(McGahren, Matthew) (Entered: 03/17/2005)
03/17/2005	<u>9</u>	<i>Defendants'</i> ANSWER to Amended Complaint by Mashud M. Reza.(McGahren, Matthew) (Entered: 03/17/2005)
03/17/2005	<u>10</u>	<i>Defendants'</i> ANSWER to Amended Complaint by Shell Oil Company.(McGahren, Matthew) (Entered: 03/17/2005)
03/17/2005	<u>11</u>	<i>Defendants'</i> ANSWER to Amended Complaint by Texaco, Inc..(McGahren, Matthew) (Entered: 03/17/2005)
04/29/2005	<u>12</u>	CERTIFICATE OF SERVICE as to RESPONSES TO PLA'S FIRST INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS by dfts Protiva, Inc., Mashud M. Reza,and Babul Islam. (jta) (Entered: 05/02/2005)
05/13/2005	<u>13</u>	Joint Certificate of Interested Persons by parties. (jta) (Entered: 05/16/2005)
05/13/2005	<u>14</u>	JOINT PRELIMINARY REPORT AND DISCOVERY SCHEDULE filed by parties. (jta) (Entered: 05/16/2005)
05/18/2005		Remark re <u>13</u> Certificate of Interested Persons, OK as to TWT. (ss) (Entered: 05/18/2005)
06/06/2005	<u>15</u>	Initial Disclosures by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc..(Elchahal, Marlo) (Entered: 06/06/2005)
06/08/2005	<u>16</u>	Initial Disclosures by pla Lejean Koger.(jta) (Entered: 06/13/2005)
06/24/2005	<u>17</u>	CERTIFICATE OF SERVICE by Protiva, Inc. for <i>Defendant Protiva Inc.'s First Interrogatories and First Request for Production of Documents to Plaintiff Koger</i> (Elchahal, Marlo) (Entered: 06/24/2005)

08/03/2005	<u>18</u>	CERTIFICATE OF SERVICE as to PLA'S RESPONSES TO DFT PROVITA INC'S FIRST REQUEST FOR PRODUCTION and PLA'S ANSWERS TO DFT PROVITA, INC'S FIRST INTERROGATORIES filed by pla Lejean Koger. (jta) (Entered: 08/03/2005)
08/10/2005	<u>19</u>	APPLICATION for Admission Pro Hac Vice for Frank P. Pinchak to appear o/b/o Lejean Koger.Filing Fee received \$150.00.; Receipt #365085. (jta) (Entered: 08/11/2005)
08/10/2005	<u>20</u>	APPLICATION for Admission Pro Hac Vice of Bonny Elizabeth Dickson to appear o/b/o Lejean Koger.Filing Fee received \$150.00, Receipt #365086. (jta) Modified on 8/12/2005 to edit text(jta). (Entered: 08/11/2005)
08/25/2005	<u>21</u>	ORDER granting <u>20</u> Application for Admission Pro Hac Vice of Bonny Elizabeth Dickson to appear o/b/o pla. Signed by Judge Thomas W. Thrash Jr. on 08/22/05. (jta) (Entered: 08/25/2005)
08/25/2005	<u>22</u>	ORDER granting <u>19</u> Application for Admission Pro Hac Vice of Frank P. Pinchak to appear o/b/o pla. Signed by Judge Thomas W. Thrash Jr. on 08/22/05. (jta) (Entered: 08/25/2005)
08/30/2005	<u>23</u>	NOTICE of TELECONFERENCE Hearing: In Chambers Conference set for 9/8/2005 10:00 AM before Judge Thomas W. Thrash Jr., counsel for plaintiff to originate call. (ss) (Entered: 08/30/2005)
09/08/2005	<u>29</u>	Minute Entry for proceedings held before Judge Thomas W. Thrash Jr.: Status Conference held on 9/8/2005 regarding Court's possible need to recuse. Counsel unsure of party relationship that Court had concerns about. Counsel to advise Court of their position. (Court Reporter Darla Coulter.)(ddm) (Entered: 10/31/2005)
09/22/2005	<u>24</u>	ORDER OF RECUSAL. Judge Thomas W. Thrash, Jr. recused pursuant to 28 U.S.C. 455(b)(4). Case reassigned to Judge Julie E. Carnes for all further proceedings. Signed by Judge Thomas W. Thrash Jr. on 9/22/05. (jta) (Entered: 09/28/2005)
09/30/2005	<u>25</u>	NOTICE directing the parties to submit the proposed consolidated pretrial order by FRIDAY, 10/14/05. (Attachments: # <u>1</u> Civil Trial Instructions)(kb) (Entered: 09/30/2005)
10/05/2005	<u>26</u>	Joint MOTION for Extension of Time to Complete Discovery with Brief In Support by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Memorandum# <u>2</u>)(Elchahal, Marlo) (Entered: 10/05/2005)
10/11/2005	<u>27</u>	ORDER granting <u>26</u> Motion for Extension of Time to Complete Discovery Discovery ends on MONDAY, 1/9/2006. Signed by Judge Julie E. Carnes on 10/07/05. (kb) (Entered: 10/11/2005)
10/19/2005	<u>28</u>	NOTICE to Take Deposition of Protiva, Inc. filed by Lejean Koger (Dickson, Bonny) (Entered: 10/19/2005)
11/30/2005	<u>30</u>	Joint MOTION for Extension of Time to Complete Discovery by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Elchahal, Marlo) (Entered: 11/30/2005)
12/22/2005		Submission of Defts' <u>30</u> Joint MOTION for Extension of Time to Complete Discovery, to District Judge Julie E. Carnes. (bjj) (Entered: 12/22/2005)
01/11/2006	<u>31</u>	ORDER granting <u>30</u> Motion for Extension of Time to Complete Discovery Discovery ends on FRIDAY, 3/10/2006. FINAL EXTENSION. Signed by Judge Julie E. Carnes on 1/10/06. (kb) (Entered: 01/11/2006)
03/03/2006	<u>32</u>	Final MOTION for Extension of Time to Complete Discovery by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Certificate of Service)(McGahren, Matthew) (Entered: 03/03/2006)
03/06/2006		Submission of <u>32</u> Final MOTION for Extension of Time to Complete Discovery, submitted to District Judge Julie E. Carnes. (jta) (Entered: 03/06/2006)

03/09/2006	<u>33</u>	ORDER denying <u>32</u> Motion for Extension of Time to Complete Discovery. The parties may pursue voluntary discovery if they wish. The time for filing summary judgment motions is extended to FRIDAY, 5/5/06 . Signed by Judge Julie E. Carnes on 03/09/06. (Attachments: # <u>1</u> Civil Trial Instructions) (kb) (Entered: 03/09/2006)
03/10/2006	<u>34</u>	MOTION to Compel Discovery with Brief In Support by Lejean Koger. (Attachments: # <u>1</u> Exhibit A – E to Motion to Compel# <u>2</u> Brief In Support of Motion to Compel# <u>3</u> Supplement Rule 37 Certification)(Dickson, Bonny) (Entered: 03/10/2006)
03/20/2006	<u>35</u>	RESPONSE re <u>34</u> MOTION to Compel Discovery filed by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (McGahren, Matthew) (Entered: 03/20/2006)
04/19/2006		Submission of Pla's <u>34</u> MOTION to Compel Discovery, to District Judge Julie E. Carnes. (bjj) (Entered: 04/19/2006)
05/03/2006	<u>36</u>	NOTICE Of Filing Original Deposition Transcript of Plaintiff Koger by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc. (<i>Manually Filed</i>) (McGahren, Matthew) (Entered: 05/03/2006)
05/04/2006	<u>37</u>	DEPOSITION (Telephone) of LEJEAN KOGER ROGERS taken on 3/9/06 by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc..(jta) (Entered: 05/04/2006)
05/05/2006	<u>38</u>	MOTION for Summary Judgment by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Brief # <u>2</u> Statement of Material Facts)(McGahren, Matthew) ---Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 05/05/2006)
05/05/2006	<u>39</u>	AFFIDAVIT re <u>38</u> MOTION for Summary Judgment by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Affidavit)(McGahren, Matthew) (Entered: 05/05/2006)
05/05/2006	<u>40</u>	REDACTION to <u>38</u> MOTION for Summary Judgment <i>Lease Agreement</i> by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (McGahren, Matthew) (Entered: 05/06/2006)
05/06/2006	<u>41</u>	REDACTION to <u>38</u> MOTION for Summary Judgment <i>CORO Agreement</i> by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (McGahren, Matthew) (Entered: 05/06/2006)
05/06/2006	<u>42</u>	DEPOSITION of Lejean Koger Rogers taken on 3/9/06 by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Exhibit Depo Part 2# <u>2</u> Exhibit Depo Part 3# <u>3</u> Exhibit Depo Part 4# <u>4</u> Exhibit Depo Part 5# <u>5</u> Exhibit Depo Exhibit 2)(McGahren, Matthew) (Entered: 05/06/2006)
05/07/2006	<u>43</u>	MOTION for Order <i>Determining Timely Filing or Granting Leave to Supplement</i> by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Eric Marlett)(McGahren, Matthew) (Entered: 05/07/2006)
05/19/2006	<u>44</u>	Joint MOTION for Extension of Time <i>and Determination of Timeliness</i> by Lejean Koger. (Attachments: # <u>1</u>)(Dickson, Bonny) (Entered: 05/19/2006)
05/25/2006	<u>45</u>	ORDER granting re <u>44</u> Joint MOTION for Extension of Time through FRIDAY, 6/16/06 to respond to <u>38</u> MOTION for Summary Judgment . Signed by Judge Julie E. Carnes on 05/25/06. (kb) (Entered: 05/25/2006)
06/01/2006	<u>46</u>	MOTION to Amend <u>6</u> Amended Complaint with Brief In Support by Lejean Koger. (Attachments: # <u>1</u> Exhibit A to Motion to Amend# <u>2</u> Brief Memorandum of Law in Support of Motion to Amend# <u>3</u> Exhibit A to Brief in Support of Motion to Amend# <u>4</u> Exhibit B to Brief in Support of Motion to Amend# <u>5</u> Exhibit C to Brief in Support of Motion to Amend# <u>6</u> Exhibit D to Brief in Support of Motion to Amend# <u>7</u> Exhibit E to Brief in Support of Motion to Amend# <u>8</u> Exhibit F to Brief in Support of Motion to Amend# <u>9</u> Exhibit G to Brief in Support of Motion to

		Amend# <u>10</u> Exhibit H to Brief in Support of Motion to Amend)(Dickson, Bonny) (Entered: 06/01/2006)
06/08/2006		Submission of <u>43</u> MOTION for Order <i>Determining Timely Filing or Granting Leave to Supplement</i> , submitted to District Judge Julie E. Carnes. (dob) (Entered: 06/08/2006)
06/08/2006	<u>47</u>	MOTION to Strike <i>Affidavit of Henry R. Miller</i> by Lejean Koger. (Dickson, Bonny) (Entered: 06/08/2006)
06/08/2006	<u>48</u>	RESPONSE in Support re <u>47</u> MOTION to Strike <i>Affidavit of Henry R. Miller</i> filed by Lejean Koger. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B # <u>3</u> Exhibit C)(Dickson, Bonny) Modified on 6/9/2006 to name attachment(jta). (Entered: 06/08/2006)
06/16/2006	<u>49</u>	RESPONSE re <u>38</u> MOTION for Summary Judgment filed by Lejean Koger. (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>50</u>	NOTICE Of Filing by Lejean Koger <i>Notice of Manual Filing (transcript of Babul Islam)</i> (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>51</u>	NOTICE Of Filing by Lejean Koger re <u>49</u> Response to Motion <i>Notice of Manual Filing (transcript of Mojib Rahman)</i> (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>52</u>	NOTICE Of Filing by Lejean Koger re <u>49</u> Response to Motion <i>Notice of Manual Filing (transcript of Robin Israil)</i> (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>53</u>	Statement of Material Facts re <u>38</u> MOTION for Summary Judgment <i>Statement of Additional Material Facts that Make Summary Judgment Inappropriate</i> filed by Lejean Koger. (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-1# <u>6</u> Exhibit E-2# <u>7</u> Exhibit E-3# <u>8</u> Exhibit E-4# <u>9</u> Exhibit E-5# <u>10</u> Exhibit E-6# <u>11</u> Exhibit E-7# <u>12</u> Exhibit E-8# <u>13</u> Exhibit E-9# <u>14</u> Exhibit E-10# <u>15</u> Exhibit F-1# <u>16</u> Exhibit F-2# <u>17</u> Exhibit F-3# <u>18</u> Exhibit G# <u>19</u> Exhibit H# <u>20</u> Exhibit I# <u>21</u> Exhibit J# <u>22</u> Exhibit K# <u>23</u> Exhibit L# <u>24</u> Exhibit M)(Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>54</u>	Response to Statement of Material Facts re <u>38</u> MOTION for Summary Judgment filed by Lejean Koger. (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>55</u>	MOTION for Leave to File Supplement to Plaintiff's Response to Motion for Summary Judgment by Lejean Koger. (Dickson, Bonny) (Entered: 06/16/2006)
06/16/2006	<u>56</u>	DEPOSITION of Babul Islam taken on 03/14/2006 by Lejean Koger.(dob) (Entered: 06/19/2006)
06/16/2006	<u>57</u>	DEPOSITION of Robin Israil taken on 03/09/2006 by Lejean Koger.(dob) (Entered: 06/19/2006)
06/16/2006	<u>58</u>	DEPOSITION of Mojib Rahman taken on 11/14/2005 by Lejean Koger.(dob) (Entered: 06/19/2006)
06/19/2006	<u>59</u>	RESPONSE in Opposition re <u>46</u> MOTION to Amend <u>6</u> Amended Complaint filed by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Brief)(McGahren, Matthew) (Entered: 06/19/2006)
06/20/2006		Submission of pla's <u>46</u> MOTION to Amend <u>6</u> Amended Complaint, with dft's <u>59</u> response in opposition,submitted to District Judge Julie E. Carnes. (jta) (Entered: 06/20/2006)
06/26/2006	<u>60</u>	RESPONSE re <u>55</u> MOTION for Leave to File Supplement to Plaintiff's Response to Motion for Summary Judgment filed by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (McGahren, Matthew) (Entered: 06/26/2006)
06/26/2006	<u>61</u>	RESPONSE in Opposition re <u>47</u> MOTION to Strike <i>Affidavit of Henry R. Miller</i> filed by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Brief # <u>2</u> Affidavit Allen R. Girndt# <u>3</u> Exhibit Unpublished Opinion in Support #1# <u>4</u> Exhibit Unpublished Opinion in Support #2)(McGahren, Matthew) (Entered: 06/26/2006)

06/27/2006		Submission of pla's <u>55</u> MOTION for Leave to File Supplement to Plaintiff's Response to Motion for Summary Judgment, with dfts' <u>60</u> Response to Motionsubmitted to District Judge Julie E. Carnes. (jta) (Entered: 06/27/2006)
06/27/2006		Submission of pla's <u>47</u> MOTION to Strike <i>Affidavit of Henry R. Miller</i> , with pla's <u>48</u> Response in Support of Motion, and dfts' <u>61</u> Response in Opposition to Motion submitted to District Judge Julie E. Carnes. (jta) (Entered: 06/27/2006)
06/28/2006	<u>62</u>	Remaining File and Depos mailed to Atlanta Per Judge Carnes chambers. (jta) (Entered: 06/28/2006)
06/29/2006		CASE REFERRED to Magistrate Judge Walter E. Johnson. (jta) (Entered: 06/29/2006)
06/29/2006		Submission of pla's <u>47</u> MOTION to Strike <i>Affidavit of Henry R. Miller</i> , with pla's <u>48</u> Response in Support of Motion, and dfts' <u>61</u> Resp in Opp; pla's <u>55</u> MOTION for Leave to File Supplement to Plaintiff's Response to Motion for Summary Judgment, with dfts' <u>60</u> Response; pla's <u>34</u> MOTION to Compel Discovery, and pla's <u>46</u> MOTION to Amend <u>6</u> Amended Complaint, with dft's <u>59</u> response in oppositionsubmitted to Magistrate Judge Walter E. Johnson. (jta) (Entered: 06/29/2006)
06/29/2006	<u>63</u>	Joint MOTION for Extension of Time to Reply to Plaintiff's Response to Motion for Summary Judgment re: <u>49</u> Response to Motion for Summary Judgment by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(McGahren, Matthew) (Entered: 06/29/2006)
07/05/2006	<u>64</u>	ORDER granting <u>63</u> Joint Motion for Extension of Time for dfts to Reply to pla's <u>49</u> Response to dfts' <u>38</u> Motion for Summary Jgm until 7/17/06. Signed by Judge Walter E. Johnson on 7/5/06. (jta) (Entered: 07/05/2006)
07/06/2006	<u>65</u>	ORDER GRANTING dfts' <u>43</u> Motion for Determination of Timely Filing, and GRANTING pla's <u>55</u> Motion for Leave to File Supplement to pla's Response to dft's <u>38</u> Motion for Summary Judgment. Plaintiff has up through and including 7/17/06, to file no more than a five (5) page Supplemental Response. Dfts shall have ten (10) days thereafter to file a Reply to pla's initial and supplemental responses. If necessary, dfts may exceed the Local Rule's limitation by three pages. Signed by Judge Walter E. Johnson on 7/6/06. (jta) Modified on 7/6/2006 to edit text(jta). (Entered: 07/06/2006)
07/17/2006	<u>66</u>	ORDER granting <u>34</u> Plaintiff's Motion to Compel with respect to the remaining employee files for defendants' Georgia stores from July 2003 to present and ORDERS production of those files within 5 days of the entry of this order. Upon receipt of those files, plaintiff shall have 5 days to file a supplement to her response to defendants' Motion for Summary Judgment. Defendants shall have ten days thereafter to file their consolidated reply brief. The parties shall comply with the page limitations set forth in the Court's order <u>65</u> of July 6, 2006 . Signed by Magistrate Judge Walter E. Johnson on 7/17/06. (klb) (Entered: 07/17/2006)
07/18/2006	<u>67</u>	ORDER denying <u>46</u> plaintiff's Motion to Amend complaint. Signed by Magistrate Judge Walter E. Johnson on 7/18/06. (klb) (Entered: 07/18/2006)
07/18/2006	<u>68</u>	ORDER denying as moot <u>47</u> plaintiff's Motion to Strike affidavit of Henry R. Miller . Signed by Magistrate Judge Walter E. Johnson on 7/18/06. (klb) (Entered: 07/18/2006)
07/20/2006		Submission of <u>65</u> Order re ddl for pla's supplemental resp and dft's reply to dft's <u>38</u> MOTION for Summary Judgment submitted to Magistrate Judge Walter E. Johnson. (jta) (Entered: 07/20/2006)
07/27/2006	<u>69</u>	SUPPLEMENTAL RESPONSE to <u>38</u> MOTION for Summary Judgment, filed by Lejean Koger. (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# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H)(Dickson, Bonny) Modified on 7/28/2006 to edit text (bjj). (Entered: 07/27/2006)
07/28/2006	<u>70</u>	NOTICE of Appearance by Matthew Francis McGahren on behalf of Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc. (McGahren,

		Matthew) (Entered: 07/28/2006)
07/28/2006		Notification of Docket Correction re <u>70</u> Notice of Appearance. This atty appearance is actually on behalf of Eric Marlett. Mr. Marlett has been added as atty for defts. (bjj) (Entered: 07/31/2006)
08/03/2006		MOTIONS <u>38</u> MOTION for Summary Judgment REFERRED to Judge Magistrate Judge Johnson. (jta) (Entered: 08/03/2006)
08/10/2006	<u>71</u>	REPLY to pla's <u>49</u> Response to dft's <u>38</u> Motion for Summary Jgm filed by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Statement of Material Facts Response# <u>2</u> Exhibit A)(McGahren, Matthew) Modified on 8/11/2006 to edit text(jta). (Entered: 08/10/2006)
08/11/2006		Submission of dfts' <u>38</u> MOTION for Summary Judgment, with plas <u>49</u> Response to Motion, <u>53</u> Statement of Material Facts, <u>54</u> Response to Statement of Material Facts and dfts' <u>71</u> Reply to Response to Motionsubmitted to Magistrate Judge Walter E. Johnson. (jta) (Entered: 08/11/2006)
08/11/2006		Notification of Docket Correction re <u>71</u> Reply to Response to Motion. Edited text to accurately reflect e-filed document. (jta) (Entered: 08/11/2006)
09/21/2006	<u>72</u>	FINAL REPORT AND RECOMMENDATION –RECOMMENDING that Defendants' <u>38</u> MOTION for Summary Judgment be GRANTED. The clerk is directed to terminate the reference to the Magistrate Judge. With order for service. Signed by Magistrate Judge Walter E. Johnson on 9/21/06. (klb) (Entered: 09/21/2006)
09/29/2006	<u>73</u>	OBJECTIONS to <u>72</u> Report and Recommendation filed by Lejean Koger. (Attachments: # <u>1</u> Memorandum of Law in Support of Objection)(Dickson, Bonny) (Entered: 09/29/2006)
10/02/2006		Submission of <u>72</u> FINAL REPORT AND RECOMMENDATION re <u>38</u> MOTION for Summary Judgment with pla's <u>73</u> objections submitted to District Judge Julie E. Carnes. (jta) (Entered: 10/02/2006)
01/03/2007	<u>74</u>	Mail Returned as Undeliverable. Mail sent to Eric John Marlett re <u>72</u> FINAL REPORT AND RECOMMENDATION re <u>38</u> MOTION for Summary Judgment filed by Texaco, Inc., Shell Oil Company,, Protiva, Inc., Mashud M. Reza,, Babul Islam, (klb) (Entered: 01/03/2007)
01/11/2007	<u>75</u>	DOCUMENT FILED INCORRECTLY NOTICE by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc. <i>Regarding Correct Contact Information for Defendants' Counsel</i> (McGahren, Matthew) Modified on 1/12/2007 to restrict document access(jta). (Entered: 01/11/2007)
01/12/2007		Notification of Docket Correction re <u>75</u> Notice (Other). Wrong event used. Attorney to re-file. (jta) (Entered: 01/12/2007)
03/28/2007	<u>76</u>	ORDER and OPINION ADOPTING IN PART and DECLINING IN PART the <u>72</u> Magistrate Judge's Final Report and Recommendation. Instead, the Court GRANTS IN PART and DENIES IN PART <u>38</u> Defendants' Motion for Summary Judgment. The Court will issue a separate Order concerning a trial date, the date by which the pretrial order must be filed, and a date, and process, by which the parties determine if the case can be resolved through settlement. Signed by Judge Julie E. Carnes on 3/28/07. (ddm) (Entered: 03/28/2007)
05/21/2007	<u>77</u>	ORDER directing the parties to confer, in an effort to settle this action, within THIRTY (30) days. If the case is not settled, the parties are directed to submit, within THIRTY (30) days the Proposed Consolidated Pretrial Order, which requires JOINT voir dire questions. The parties are directed to consider consenting to a trial before a magistrate judge. Signed by Judge Julie E. Carnes on 05/21/07. (Attachments: # <u>1</u> CIVIL TRIAL INSTRUCTIONS)(kb) (Entered: 05/21/2007)
06/15/2007	<u>78</u>	Joint MOTION for Extension of Time to Confer re: <u>77</u> Order, by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(McGahren, Matthew) (Entered: 06/15/2007)

06/26/2007	<u>79</u>	ORDER granting <u>78</u> Motion for Extension of Time through MONDAY, 8/13/07 to submit the Proposed Consolidated Pretrial Order, which requires JOINT voir dire questions and through FRIDAY, 7/20/07 to confer regarding settlement of this matter. Signed by Judge Julie E. Carnes on 06/25/07. (Attachments: # <u>1</u> CIVIL TRIAL INSTRUCTIONS) (kb) (Entered: 06/26/2007)
06/26/2007	<u>80</u>	NOTICE setting Trial:Jury Trial set for MONDAY, 8/27/2007 09:30 AM in Courtroom 311 before Judge Julie E. Carnes. The proposed Consolidated Pretrial Order, which requires JOINT voir dire questions, the four courtesy copies of the 15 requests to charge and any motions in limine are due MONDAY, 8/13/07. The pretrial/settlement conference is scheduled for THURSDAY, 8/23/07 2:00 PM, in Chambers 2167 (Atlanta). The written objections to each other's requests to charge are due THURSDAY, 8/23/07. (Attachments: # <u>1</u> CIVIL TRIAL INSTRUCTIONS)(kb) (Entered: 06/26/2007)
06/26/2007	<u>81</u>	Letter to counsel attaching the Court's Pattern Charges used in most civil cases re <u>80</u> Notice setting Trial. (Attachments: # <u>1</u> Pattern Charges)(kb) (Entered: 06/26/2007)
06/29/2007	<u>82</u>	Mail Returned as Undeliverable. Mail sent to Eric John Marlett regarding <u>77</u> Order returned via USPS marked "Forwarding Time Expired". (ddm) (Entered: 07/05/2007)
07/20/2007	<u>83</u>	NOTICE of Change of Address for Matthew Francis McGahren, counsel for Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc. (McGahren, Matthew) (Entered: 07/20/2007)
07/20/2007	<u>84</u>	NOTICE by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc. <i>Notice of Intent to File Motion to Withdraw</i> (McGahren, Matthew) (Entered: 07/20/2007)
08/01/2007	<u>85</u>	ORDER scheduling the settlement/pretrial conference for FRIDAY, 8/10/07, 10:30 A.M., CHAMBERS 2167. The pretrial conference date of 8/23/07 is CANCELLED. Signed by Judge Julie E. Carnes on 08/01/07. (kb)R (Entered: 08/01/2007)
08/03/2007	<u>86</u>	MOTION to Withdraw Matthew Francis McGahren as Attorneyby Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Exhibit A)(McGahren, Matthew) (Entered: 08/03/2007)
08/03/2007	<u>87</u>	Amended MOTION to Withdraw Matthew Francis McGahren as Attorneyby Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (Attachments: # <u>1</u> Exhibit A)(McGahren, Matthew) (Entered: 08/03/2007)
08/09/2007	<u>88</u>	ORDER ADMINISTRATIVELY TERMINATING this action to the right of either party, within thirty (30) days to reopen the action if settlement is not consummated.The settlement conference scheduled for August 10, 2007 and the trial date of August 27, 2007 are CANCELLED. The Court will rule on attorney Matthew F. McGahren and Eric J. Marlett's <u>86</u> Motion and <u>87</u> Amended Motion to Withdraw as counsel for the defendants upon receipt of the settlement documentation.The Clerk is directed to ADMINISTRATIVELY TERMINATE this action Signed by Judge Julie E. Carnes on 8/9/07. (ddm) (Entered: 08/09/2007)
08/09/2007		Civil Case Terminated. (ddm) (Entered: 08/09/2007)
08/10/2007	<u>89</u>	Letter from plaintiff and defendant's attorneys re settlement and cancellation of pretrial conference set for Friday, August 10, 2007 (ryc) (Entered: 08/13/2007)
08/24/2007		Submission of <u>86</u> Motion to Withdraw Matthew Francis McGahren and <u>87</u> Amended MOTION to Withdraw Matthew Francis McGahren as Attorney with <u>89</u> Settlement Letter submitted to District Judge Julie E. Carnes. (jta) (Entered: 08/24/2007)
10/22/2007	<u>90</u>	ORDER GRANTING <u>87</u> AMENDED Motion to Withdraw as Attorney. Attorney Matthew Francis McGahren terminated for defendants. Signed by Judge Julie E. Carnes on 10/22/07. (ryc) (Entered: 10/22/2007)

11/05/2007	<u>91</u>	MOTION for Reconsideration re <u>90</u> Order on Motion to Withdraw as Attorney <i>to Modify and Withdraw Eric J. Marlett</i> by Shell Oil Company, Protiva, Inc., Mashud M. Reza, Babul Islam, Texaco, Inc.. (McGahren, Matthew) (Entered: 11/05/2007)
12/27/2007		Submission of <u>91</u> MOTION for Reconsideration re <u>90</u> Order on Motion to Withdraw as Attorney <i>to Modify and Withdraw Eric J. Marlett</i> , submitted to District Judge Julie E. Carnes. (jta) (Entered: 12/27/2007)
06/13/2008	<u>92</u>	ORDER GRANTING <u>91</u> Motion for Reconsideration. IT IS HEREBY ORDERED that defendants' Motion for Reconsideration and Modification of Order Granting Amended Motion to Withdraw <u>91</u> is GRANTED. Attorney Eric J. Marlett shall be allowed to withdraw as defendants' counsel. The case is closed. Signed by Judge Julie E. Carnes on 06/13/08. (fap) (Entered: 06/13/2008)