

CLOSED, MAG-4

U. S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:98-cv-02632-SSV

EEOC v. HBH Inc
Assigned to: Judge Sarah S. Vance
Demand: \$0
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 09/04/1998
Date Terminated: 12/14/1999
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission of Louisiana**

represented by **Tina Burnside**
Equal Employment Opportunity
Commission
New Orleans District Office
701 Loyola Ave.
Suite 600
New Orleans, LA 70113
(504) 589-6817
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Randy J. Dukes
Equal Employment Opportunity
Commission
New Orleans District Office
701 Loyola Ave.
Suite 600
New Orleans, LA 70113
(504) 589-6817

V.

Defendant

HBH Inc

represented by **Stephen D. Marx**
Chehardy, Sherman, Ellis, Breslin,
Murray, Recile & Griffith
Recile & Griffith, LLP
P. O. Box 931
Metairie, LA 70004-0931
(504) 833-5600
Email: sdm@chehardy.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patricia E. Pannell

Chehardy, Sherman, Ellis, Breslin,
Murray, Recile & Griffith
Recile & Griffith, LLP
P. O. Box 931
Metairie, LA 70004-0931
(504) 833-5600
Email: pep@chehardy.com

Intervenor

Rhua Dale Williams

represented by **David Chester Frazier**
Law Offices of David C. Frazier
727 Watts Ave.
P. O. Drawer 1170
Pascagoula, MS 39568-1170
(228) 769-7754
Email: davidfr@bellsouth.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

E. Bragg Williams, III
Williams, Williams & Montgomery
P. O. Box 113
109 Erlanger St.
Poplarville, MS 39470
601-795-4572
Email: braggwilliams@bellsouth.net
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/04/1998	1	COMPLAINT (1 summons(es) issued) (eal) (Entered: 09/08/1998)
10/19/1998	2	Motion of Rhua Dale Williams and ORDER allowing intervention of Rhua Dale Williams by Judge Sarah S. Vance Date Signed: 10/20/98 (bb) (Entered: 10/23/1998)
10/21/1998	3	Motion by intervenor Rhua Dale Williams and ORDER for attorney E. Bragg Williams III to appear pro hac vice by Judge Sarah S. Vance (bb) (Entered: 10/26/1998)
11/06/1998	4	Intervenor's COMPLAINT by intervenor Rhua Dale Williams ; (bb) (Entered: 11/09/1998)
11/09/1998	5	ANSWER by defendant HBH Inc to complaint by intervenor Rhua Dale Williams [4-1] (bb) (Entered: 11/09/1998)
11/12/1998	6	NOTICE/ORDER that a preliminary conference is scheduled by telephone before courtroom deputy at 9:45 12/3/98 by Clerk (jas) (Entered: 11/12/1998)
11/23/1998	7	ANSWER by defendant HBH Inc to complaint by intervenor Rhua Dale

		Williams [4-1] (bb) (Entered: 11/24/1998)
12/03/1998	8	MINUTE ENTRY (12/3/98): Preliminary Conference held; amendments due within 30 days. All pretrial motions with the exception of motions in limine are to be filed and served in sufficient time to permit hearing thereon 45 days prior to the trial date. Pretrial conf set 3:00 8/12/99 ; jury trial (3 days) set 8:30 8/30/99 ; by Clerk. (jas) (Entered: 12/03/1998)
02/23/1999	9	NOTICE case reallocated to Magistrate Judge 4 by Clerk effective March 1, 1999 (jd) (Entered: 02/23/1999)
03/03/1999	10	MOTION by plaintiff EEOC for leave to file an amended cmp referred to Magistrate Karen W. Roby to be heard before Mag Judge at 10:00 3/31/99 (gw) (Entered: 03/04/1999)
03/17/1999	11	USM RETURN OF SERVICE of subp for depo to Gene Esquerre, Dixie Machine Welding & Metal Works, Inc. svd 3/16/99. (sek) (Entered: 03/17/1999)
03/23/1999	12	Memo in opposition by defendant HBH Inc to motion for leave to file an amended cmp [10-1] filed by plaintiff EEOC (bb) (Entered: 03/23/1999)
03/23/1999	13	MOTION by defendant HBH Inc to strike allegations contained in cmp ; Ordered that exp hrg is denied; mtn is set for hrg w/oral argument on 4/14/99 at 10:00 bfr Mag Roby by Magistrate Karen Roby Date signed 3/24/99 (bb) Modified on 07/02/1999 (Entered: 04/22/1999)
04/01/1999	14	MINUTE ENTRY(3/31/99): Ordered that pla's mtn for leave of court to file an amended cmp to add party defendants is granted in part; plaintiffs are granted leave to add TransCoastal Marine Services Inc as a defendant by Magistrate Karen W. Roby (bb) (Entered: 04/05/1999)
04/06/1999	15	Motion by plaintiff EEOC for review of Mag's order of 4/5/99 and ORDER for expedited hearing is denied. Motion is set for hearing on 4/28/99 before Judge. by Judge Sarah S. Vance Date Signed: 4/8/99 (bb) Modified on 04/09/1999 (Entered: 04/09/1999)
04/08/1999	16	Motion by defendant HBH Inc and ORDER for leave to file opp to pla EEOC's mtn for review of Mag's order by Judge Sarah S. Vance Date Signed: 4/12/99 (ijg) (Entered: 04/13/1999)
04/12/1999	17	Memo in opposition by defendant HBH Inc to mtn for review of Mag's order by plaintiff EEOC (ijg) (Entered: 04/13/1999)
04/14/1999	18	Motion by plaintiff EEOC and ORDER extending time for 30 days to deliver to counsel for dft written reports of experts; dft is also granted an extension provided the trial date is not affected by Judge Eldon E. Fallon Date Signed: 4/15/99 (bb) (Entered: 04/15/1999)
04/16/1999	19	MINUTE ENTRY (4/14/99): pty's to submit memo rebriefing the issues of dft's mtn to strike by 4/16/99 [13-1]; dft's mtn to strike is reset with oral argument at 10:00 4/21/99 bfr Magistrate. by Magistrate Karen W. Roby Date Signed: 4/15/99 (jd) (Entered: 04/16/1999)

04/16/1999	20	Memorandum by plaintiff EEOC in opposition to motion by deflt to strike [13-1] (jas) (Entered: 04/16/1999)
04/16/1999	21	Memorandum by defendant HBH Inc in support of its motion to strike [13-1] (jas) (Entered: 04/16/1999)
04/19/1999	22	USM'S RETURN OF SERVICE of subp for depo to George T. Lynne on 4/6/99. (gw) (Entered: 04/20/1999)
04/19/1999	23	USM'S RETURN OF SERVICE of subp for depo to Billy Wayne King on 4/2/99. (gw) (Entered: 04/20/1999)
04/20/1999	25	Motion by defendant HBH Inc for cont of its mtn to strike or to dismiss or for partial sum jgm; moot (bb) (Entered: 04/23/1999)
04/21/1999	24	MINUTE ENTRY(4/21/99): re-setting motion of HBH Inc to strike allegations contained in cmp [13-1] at 10:00 5/5/99 w/oral argument by Magistrate Karen W. Roby (bb) (Entered: 04/22/1999)
04/30/1999	26	MOTION by defendant HBH Inc for partial summary judgment to be heard before Judge at 10:00 6/9/99 (ijg) (Entered: 05/03/1999)
05/06/1999	27	MINUTE ENTRY(5/5/99): denying motion of HBH Inc to strike allegations contained in cmp [13-1] by Magistrate Karen W. Roby Date Signed: 5/7/99 (bb) (Entered: 05/07/1999)
05/13/1999	30	MOTION by plaintiff EEOC for exp hrg on its motion to compel entry upon land for inspection of dft's worksite & ORDER that same be heard on an exp basis bfr Magistrate Karen W. Roby at 3:30 5/18/99 by Magistrate Karen W. Roby (bb) (Entered: 05/19/1999)
05/18/1999	28	Memo in opposition by defendant HBH Inc to motion to compel entry upon land for inspection filed by pla (bb) (Entered: 05/18/1999)
05/19/1999	29	ORDER & REASONS re pla's mtn to review Mag's order denying pla's mtn to amend cmp; the Court affirms the Mag's ruling in part & reverses it in part; pla may amend cmp to add Jack Mann as a plaintiff by Judge Sarah S. Vance Date Signed: 5/18/99 (bb) (Entered: 05/19/1999)
05/20/1999	31	PLAINTIFF'S AMENDED complaint [1-1] w/jury demand; no new parties added (bb) Modified on 06/11/1999 (Entered: 05/21/1999)
05/24/1999	32	MINUTE ENTRY(5/24/99): granting pla's motion to compel entry upon land for inspection of dft's worksite [30-1] by Magistrate Karen W. Roby (bb) (Entered: 05/25/1999)
05/25/1999	33	USM RETURN OF SERVICE of supb to Dr. Vincent Tumminello svd 5/20/99 (bb) (Entered: 05/25/1999)
05/26/1999	36	RETURN OF SERVICE of subp to Kevin Faller unexecuted. (jas) (Entered: 05/28/1999)
05/27/1999	34	Memo in opposition by plaintiff EEOC to motion for partial summary judgment [26-1] filed by defendant HBH Inc (jas) (Entered: 05/27/1999)

05/27/1999	35	MOTION by plaintiff EEOC for reconsideration or clarification of the Judge's order denying plaintiff's motion to amend complaint to identify addl parties to be heard before Judge Vance at 10:00 6/16/99 (jas) Modified on 06/23/1999 (Entered: 05/28/1999)
06/01/1999	37	MINUTE ENTRY(5/28/99): ; Settlement conference set 2:00 7/27/99; settlement position letters due 7/23/99 by Magistrate Karen W. Roby (bb) (Entered: 06/02/1999)
06/01/1999	38	Joinder of intervenor Rhua Dale Williams to Memo in Opp to Dfts' Mtn for Partial Sum Jgm (bb) (Entered: 06/02/1999)
06/01/1999	39	ANSWER by defendant HBH Inc to complaint by plaintiff EEOC [31-1] (bb) (Entered: 06/02/1999)
06/01/1999	41	Motion by plaintiff EEOC and ORDER for leave to file statement of material facts by Judge Sarah S. Vance Date Signed: 6/3/99 (bb) (Entered: 06/08/1999)
06/04/1999	40	Notice of service of suppl resp to dft's req for prod of doc to pla by intervenor Rhua Dale Williams (bb) (Entered: 06/07/1999)
06/07/1999	42	Statement of material facts by plaintiff EEOC (bb) (Entered: 06/08/1999)
06/08/1999	43	Supplemental memorandum by plaintiff EEOC in support of maintaining in its cmp the comingling of medical records allegation (bb) (Entered: 06/08/1999)
06/09/1999	44	Memo in opposition by defendant HBH Inc to motion for reconsideration or clarification of the Judge's order denying plaintiff's motion to amend complaint to identify add'l parties [35-1] filed by plaintiff EEOC (jas) (Entered: 06/10/1999)
06/09/1999	45	Supplemental memorandum by defendant HBH Inc in support of its motion for partial summary judgment [26-1] (bb) (Entered: 06/10/1999)
06/10/1999	46	Witness and Exhibit list submitted by plaintiff EEOC (jas) (Entered: 06/10/1999)
06/11/1999	47	Exhibit and Witness list by defendant HBH Inc (jas) (Entered: 06/11/1999)
06/14/1999	48	Notice of Deposition by intervenor Rhua Dale Williams of Frank Tyner on 6/17/99 (bb) (Entered: 06/15/1999)
06/18/1999	49	Notice of Deposition by intervenor Rhua Dale Williams of Robert Smith on 7/19/99 (bb) (Entered: 06/21/1999)
06/23/1999	50	USM's RETURN OF SERVICE of subp upon Allen Boyte on 6/16/99 (pck) (Entered: 06/28/1999)
06/29/1999	54	Motion by intervenor Rhua Dale Williams and ORDER to extend discovery to allow disc depos of Lloyd Ray Regan and Robert Smith to be taken after 7/13/99 provided the ptc and trial dates are not effected by Judge Sarah S. Vance Date Signed: 7/2/99 (bb) (Entered: 07/02/1999)

06/29/1999	55	Motion by defendant HBH Inc and ORDER expediting hrg on its mtn for partial sum jgm; hrg set 7/21/99 at 10:00 by Judge Sarah S. Vance Date Signed: 7/2/99 (bb) Modified on 07/02/1999 (Entered: 07/02/1999)
07/01/1999	51	Notice by intervenor Rhua Dale Williams of receipt of orig depo of Frank Tyner (bb) (Entered: 07/01/1999)
07/01/1999	52	Memorandum by plaintiff EEOC in opposition to the motion by the defendant for expedited hearing or in the alternative plaintiff request an extension of time to file its response. (jas) (Entered: 07/02/1999)
07/02/1999	53	MINUTE ENTRY(7/1/99): Ordered that motion of HBH Inc to strike allegations contained in cmp [13-1] will be taken under submission on 7/1/99 by Judge Sarah S. Vance (bb) (Entered: 07/02/1999)
07/02/1999	56	MOTION by defendant HBH Inc for partial summary judgment to be heard before Judge at 10:00 7/21/99 (bb) (Entered: 07/02/1999)
07/12/1999	57	Motion by plaintiff EEOC and ORDER extending time to file its reply memo to dft's mtn for partial sum jgm until 7/19/99 by Judge Sarah S. Vance (bb) (Entered: 07/14/1999)
07/13/1999	58	Memo in opposition by plaintiff EEOC to motion for partial summary judgment [56-1] filed by defendant HBH Inc (jas) (Entered: 07/14/1999)
07/19/1999	59	ORDER & REASONS granting pla's motion for reconsideration or clarification of the Judge's order denying plaintiff's motion to amend complaint to identify addl parties [35-1]; dft's mtn to dismiss is denied to allow pla 60 days to conciliate the medical records claim by Judge Sarah S. Vance (bb) (Entered: 07/19/1999)
07/19/1999	60	Motion by plaintiff EEOC and ORDER for leave to file its substitute memo in opp to dft's mtn for partial sum jgm, which will replace pla's memo filed on 7/13/99 by Judge Sarah S. Vance Date Signed: 7/21/99 (gw) (Entered: 07/22/1999)
07/22/1999	61	Substitute memorandum by plaintiff EEOC in opposition to dft HBH Inc's [56-1] motion for partial summary judgment (gw) (Entered: 07/22/1999)
07/28/1999	62	MINUTE ENTRY(7/27/99): Settlement conf held; Settlement conference w/the counsel for EEOC, HBH & Mr. Mann is set 2:00 8/13/99 by Magistrate Karen W. Roby (bb) Modified on 07/29/1999 (Entered: 07/29/1999)
07/28/1999	63	MINUTE ENTRY(7/27/99): Settlement conf held; settlement conference set 8/24/99 at 10:00 w/counsel for HBH Inc & Rhua Dale Williams by Magistrate Karen W. Roby (bb) (Entered: 07/29/1999)
08/03/1999	64	MINUTE ENTRY(8/2/99): Ordered that the ptc and trial are cont to be reset; Preliminary Conference set 9:45 8/17/99 by telephone to assign new dates by Judge Sarah S. Vance (bb) (Entered: 08/03/1999)
08/17/1999	65	MINUTE ENTRY (8/17/99): Preliminary Conference held; ; pretrial

		conf set 4:00 2/8/00 ; jury trial set 8:30 2/22/00 by Clerk. (jas) (Entered: 08/17/1999)
08/17/1999	66	MINUTE ENTRY(8/13/99): Settlement conf held; negotiations were unsuccessful as to claimants and dft; Settlement conference set 10:00 8/24/99 w/counsel for HBC Inc & Rhua Dale Williams by Magistrate Karen W. Roby (bb) (Entered: 08/17/1999)
08/25/1999	67	MINUTE ENTRY(8/24/99): Ordered that ptc and trial are cont; Preliminary Conference set 10:00 9/16/99 by telephone by Judge Sarah S. Vance (bb) (Entered: 08/26/1999)
08/25/1999	68	MINUTE ENTRY(8/24/99): Settlement conference held 10:00 8/24/99; settlement was not reached; Judge's staff has been notified by Magistrate Karen W. Roby (bb) (Entered: 08/26/1999)
08/26/1999	69	MINUTE ENTRY (8/26/99): Preliminary Telephone Conference cont to 9:30 9/20/99 by Judge Sarah S. Vance (bb) (Entered: 08/27/1999)
09/20/1999	70	NOTICE/ORDER that a preliminary conference is scheduled by telephone before courtroom deputy at 9:30 9/28/99 by Clerk (jas) (Entered: 09/20/1999)
09/28/1999	71	MINUTE ENTRY (9/28/99): Preliminary Conference held; ; pretrial conf set 2:00 3/30/00 ; jury trial set 8:30 4/10/00 by Clerk. (jas) (Entered: 09/28/1999)
12/09/1999	72	MINUTE ENTRY (11/29/99): Ordered that the parties inform the Court in writing of the status of the case by 12/13/99 at 5:00 by Judge Sarah S. Vance (bb) (Entered: 12/09/1999)
12/09/1999	73	ORDER & REASONS granting motion of HBH Inc for partial summary judgment [56-1] by Judge Sarah S. Vance Date Signed: 12/8/99 (bb) (Entered: 12/10/1999)
12/14/1999	74	Sixty day ORDER to dismiss case by Judge Sarah S. Vance Date Signed: 12/13/99 (CLOSED) (bb) (Entered: 12/14/1999)
01/24/2000	75	JOINT CONSENT DECREE by Judge Sarah S. Vance Date Signed: 2/1/00 (gw) (Entered: 02/02/2000)

PACER Service Center			
Transaction Receipt			
06/05/2007 15:12:35			
PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	2:98-cv-02632-SSV
Billable Pages:	4	Cost:	0.32