

CLOSED, MAG-5, PROTO

**U. S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:98-cv-02085-ML**

EEOC v. Tri-Color Ind Inc
Assigned to: Judge Marcel Livaudais
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 07/17/1998
Date Terminated: 10/05/1999
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission of Louisiana**

represented by **Gregory T. Juge**
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Commission
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TERMINATED: 05/07/1999
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Intervenor Plaintiff

Sylvia Diaz

represented by **Joseph Philip Raspanti**
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V.

Defendant

Tri-Color Industries, Inc.

represented by **Anita Lechner Bosch**
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Date Filed	#	Docket Text
07/17/1998	1	COMPLAINT (1 summons(es) issued) (nn) (Entered: 07/20/1998)
07/20/1998		Automatic Referral (Utility Event) to Magistrate Alma Chasez (nn) (Entered: 07/20/1998)
08/12/1998	2	Motion by defendant Tri-Color Ind Inc and ORDER that dft is granted an addl 20 days time, through & including 9/10/98, w/in which to respond to pla's cmp by Judge Marcel Livaudais (sw) (Entered: 08/14/1998)
09/10/1998	3	ANSWER by defendant Tri-Color Ind Inc to complaint by plaintiff EEOC [1-1]. (sek) (Entered: 09/14/1998)
10/20/1998	4	MINUTE ENTRY 10/19/98: A preliminary conf is scheduled at 11:00 11/3/98 by Magistrate Alma Chasez (sw) (Entered: 10/20/1998)
11/03/1998	6	Motion by defendant Tri-Color Ind Inc and ORDER for attorney Lance A. Bowling to appear pro hac vice for dft by Judge Marcel Livaudais Date Signed: 11/5/98 (sw) (Entered: 11/10/1998)
11/05/1998	5	MINUTE ENTRY 11/3/98: One of the ptys to this proceedings has advised the undersigned that she/he/it is unwilling to proceed to trial bfr the Mag Judge under 28 USC 636(c). Because a jury trial has been demanded, the matter is returned to the docket of the District Judge for the scheduling of a preliminary conf by Magistrate Alma Chasez (sw) (Entered: 11/06/1998)
01/22/1999	7	NOTICE/ORDER that a preliminary conference is scheduled by telephone before courtroom deputy at 2:15 2/23/99 by Clerk (sw) (Entered: 01/22/1999)
02/19/1999	8	Motion by intervenor-plaintiff Sylvia Diaz and ORDER for leave to file cmp of intervention by Judge Marcel Livaudais (sw) (Entered: 02/22/1999)
02/19/1999	9	COMPLAINT OF INTERVENTION by intervenor-plaintiff Sylvia Diaz (sw) (Entered: 02/22/1999)
02/24/1999	10	MINUTE ENTRY 2/24/99: A preliminary conf was held on 2/23/99; amendments due w/in 30 days; pretrial conf set at 2:15 10/7/99; jury trial set at 10:00 11/1/99 by Judge Marcel Livaudais (sw) (Entered: 02/24/1999)
02/25/1999	11	Notice of Deposition by defendant Tri-Color Ind Inc of Sylvia Diaz on 4/15/99 & 4/16/99. (gw) (Entered: 03/02/1999)
03/03/1999	12	MOTION by defendant Tri-Color Ind Inc to strike pla Sylvia Diaz's petn to intervene to be heard before Judge at 10:00 3/24/99 (gw) (Entered: 03/05/1999)
03/03/1999	13	ANSWER by defendant Tri-Color Ind Inc to adoption of pla-EEOC's complaint by intervenor-plaintiff Sylvia Diaz [9-1] (gw) (Entered: 03/05/1999)
03/12/1999	14	Motion by intervenor-plaintiff Sylvia Diaz and ORDER that dft Tri-Cor Ind Inc's motion to strike pla Sylvia Diaz's petn to intervene [12-1] set for 3/24/99 is

		CONTINUED to 4/21/99 at 10:00 a.m. by Judge Marcel Livaudais (ijg) (Entered: 03/15/1999)
03/25/1999	15	Memo in opposition by intervenor-plaintiff Sylvia Diaz to motion to strike pla Sylvia Diaz's petn to intervene [12-1] filed by defendant Tri-Color Ind Inc (jas) (Entered: 03/26/1999)
04/22/1999	16	ORDERED that the mtn by dft Tri-Color Ind Inc to strike pla Sylvia Diaz's petn to intervene [12-1] is denied by Judge Marcel Livaudais Date Signed: 4/21/99 (sw) (Entered: 04/23/1999)
04/22/1999	17	Notice of Deposition by dft Tri-Color Ind Inc of Sylvia Diaz on 5/25 & 5/26/99. (dno) (Entered: 04/26/1999)
04/28/1999	18	RETURN OF SERVICE of subp upon Custodian of Records for US Army Corp of Engineers; svd 4/26/99; upon Custodian of Records for Cash Money Records, Inc.; svd 4/27/99. (rg) (Entered: 04/29/1999)
04/29/1999	19	ANSWER by defendant Tri-Color Ind Inc to complaint of intervention by intervenor-plaintiff Sylvia Diaz [9-1] (nn) (Entered: 04/30/1999)
05/04/1999	20	RETURN OF SERVICE of subp upon Dr. Patrick Mottrum, Methodist Psychiatric Hosp, Woman's Clinic, Dr. Adrian J. James, Methodist Hosp, Dr. Oscar Delportal svd 5/3/99 (pck) (Entered: 05/05/1999)
05/05/1999	21	Notice of Deposition by defendant Tri-Color Ind Inc of Dr Oscar Delportal on 5/17/99 (ijg) (Entered: 05/07/1999)
05/05/1999	22	Notice of Deposition by defendant Tri-Color Ind Inc of Methodist Hosp on 5/17/99 (ijg) (Entered: 05/07/1999)
05/05/1999	23	Notice of Deposition by defendant Tri-Color Ind Inc of Dr Stanley Sherman on 5/17/99 (ijg) (Entered: 05/07/1999)
05/05/1999	24	Notice of Deposition by defendant Tri-Color Ind Inc of Dr Adrian J James on 6/8/99 (ijg) (Entered: 05/07/1999)
05/05/1999	25	Notice of Deposition by defendant Tri-Color Ind Inc of Methodist Psychiatric Pavilion on 5/17/99 (ijg) (Entered: 05/07/1999)
05/05/1999	26	Notice of Deposition by defendant Tri-Color Ind Inc of Dr Patrick Mottrum on 5/17/99 (ijg) (Entered: 05/07/1999)
05/07/1999	27	Notice of Deposition by plaintiff EEOC of Melanie Jones on 6/7/99 (sw) (Entered: 05/10/1999)
05/07/1999	28	Motion by plaintiff EEOC and ORDER withdrawing attorneys Jeffrey Tobias Aguilar & Gregory T. Juge for EEOC and substituting attorneys Michelle T. Butler & Nancy Eleanor Graham by Judge Marcel Livaudais Date Signed: 5/10/99 (gw) (Entered: 05/12/1999)
05/12/1999	29	RETURN OF SERVICE of subp to Kim Goins Temple on 5/11/99. (gw) (Entered: 05/13/1999)
05/12/1999	30	Notice of Deposition by defendant Tri-Color Ind Inc of Kim Goins Temple on 6/8/99 (ijg) (Entered: 05/14/1999)

05/17/1999	31	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian Financial Management Investment on 6/4/99 (sw) (Entered: 05/18/1999)
05/19/1999	32	Notice of Videotape Deposition by defendant Tri-Color Ind Inc of Sylvia Diaz on 4/25/99 & 4/26/99 (jd) (Entered: 05/24/1999)
05/26/1999	33	MINUTE ENTRY 5/24/99: A settlement conf is scheduled at 5:00 6/10/99 bfr Mag Judge Chasez by Magistrate Alma Chasez (sw) (Entered: 05/27/1999)
05/26/1999	34	Notice of Deposition by defendant Tri-Color Ind Inc of Leslie Diaz on 6/8/99 (ijg) (Entered: 05/27/1999)
05/26/1999	35	RETURN OF SERVICE of subp on Leslie Diaz svd 5/26/99 (ijg) (Entered: 05/27/1999)
05/26/1999	36	USM'S RETURN OF SERVICE of subp & depo ntc on Melanie Jones svd 5/24/99 (ijg) (Entered: 05/27/1999)
05/26/1999	37	Motion by defendant Tri-Color Ind Inc and ORDER allowing dft an addl 14 days, or until 6/23/99, w/in which to respond to pla's 1st set of interrogs & requests for production of documents by Judge Marcel Livaudais Date Signed: 5/27/99 (sw) (Entered: 06/01/1999)
06/10/1999	38	MINUTE ENTRY 6/9/99: The settlement conf scheduled for 6/10/99 bfr the undersigned is canceled upon the request of counsel by Magistrate Alma Chasez (sw) (Entered: 06/10/1999)
06/11/1999	39	Motion by defendant Tri-Color Ind Inc and ORDER that allowing dft an addl four days, or until 6/23/99, w/in which to respond to pla's 2nd request for production of documents by Magistrate Alma Chasez Date Signed: 6/15/99 (sw) (Entered: 06/16/1999)
06/17/1999	40	Objections by plaintiff EEOC to further extensions of time for dft's disc responses (sw) (Entered: 06/22/1999)
06/22/1999	41	MOTION by defendant Tri-Color Ind Inc to compel discovery to be heard before Mag. Judge Chasez at 11:00 7/7/99 (sw) (Entered: 06/22/1999)
06/25/1999	42	MINUTE ENTRY (6/24/99): Oral argument on dft's motion to compel discovery [41-1] will be conducted on 7/14/99 at 11:00 am by Magistrate Alma Chasez (gw) (Entered: 06/28/1999)
06/28/1999	43	Notice of Deposition by plaintiff EEOC of Herbert W. Huner on 8/2/99 (pck) (Entered: 06/29/1999)
06/28/1999	44	Notice of Deposition by plaintiff EEOC of William T. White on 7/28/99 (pck) Modified on 07/14/1999 (Entered: 06/29/1999)
06/30/1999	45	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian LA Dept of Labor, Office of Employment Security on 7/16/99. (gw) (Entered: 07/01/1999)
07/01/1999	46	Opposition by defendant Tri-Color Ind Inc to pla EEOC's objection to further ext of time for dft's disc resp [40-1] (ijg) (Entered: 07/02/1999)

07/02/1999	47	USM'S RETURN OF SERVICE of subp to Herbert W. Huner svd 7/1/99 (sw) (Entered: 07/06/1999)
07/06/1999	48	RETURN OF SERVICE of subps to Custodian of Records LA Department of Labor svd 7/1/99 (sw) (Entered: 07/07/1999)
07/06/1999	49	Motion by plaintiff EEOC and ORDER that an exp hrg on pla's mtn to compel dft Tri-Cor Industries Inc to completely answer interrogatory & for production of documents by Magistrate Alma Chasez (sw) (Entered: 07/08/1999)
07/08/1999	50	MOTION by plaintiff EEOC to compel dft Tri-Cor Industries Inc to completely answer one interrogatory & for production of documents exp hrg to be heard before Mag. Judge Chasez at 11:00 7/14/99 (sw) Modified on 07/15/1999 (Entered: 07/08/1999)
07/12/1999	51	Memo in opposition by defendant Tri-Color Ind Inc to motion to compel dft Tri-Cor Industries Inc to completely answer one interrogatory & for production of documents [50-1] filed by plaintiff EEOC (sw) Modified on 08/06/1999 (Entered: 07/13/1999)
07/15/1999	52	Notice of Deposition by defendant Tri-Color Ind Inc of Leslie Diaz on 7/30/99 (ijg) (Entered: 07/16/1999)
07/16/1999	53	MINUTE ENTRY (7/14/99): The motion by dft Tri-Color Ind Inc to compel discovery [41-1] & pla EEOC's motion to compel dft Tri-Cor Industries Inc to completely answer one interrogatory & for production of documents [50-1] - Rulings of these mtns are stated in the doc; Settlement conference set 10/1/99 at 2:00 pm in chambers by Magistrate Alma Chasez (gw) Modified on 07/19/1999 (Entered: 07/19/1999)
07/16/1999	54	RETURN OF SERVICE of subp to Leslie Diaz on 7/15/99. (gw) (Entered: 07/19/1999)
07/27/1999	55	USM'S RETURN OF SERVICE of depo ntc & subp on William T White svd 7/15/99 (ijg) (Entered: 07/27/1999)
07/27/1999	56	USM'S RETURN OF SERVICE of depo ntc & subp on William T White svd 7/19/99 (ijg) (Entered: 07/27/1999)
07/30/1999	57	Notice of Deposition by defendant Tri-Color Ind Inc of Roland R. Diaz on 8/19/99 (tbl) (Entered: 08/02/1999)
07/30/1999	58	Notice of Deposition by defendant Tri-Color Ind Inc of Thomas J. Meunier, Jr. on 8/19/99 (tbl) (Entered: 08/02/1999)
07/30/1999	59	Notice of Deposition by defendant Tri-Color Ind Inc of Jessie Saxton on 8/20/99 (tbl) (Entered: 08/02/1999)
07/30/1999	60	Notice of Deposition by defendant Tri-Color Ind Inc of Michelle Diaz on 8/20/99 (tbl) (Entered: 08/02/1999)
08/04/1999	61	Exhibit list by intervenor-plaintiff Sylvia Diaz (sw) (Entered: 08/05/1999)
08/04/1999	62	Witness list submitted by intervenor-plaintiff Sylvia Diaz (sw) (Entered: 08/05/1999)

08/04/1999	63	Sealed Document (sw) (Entered: 08/05/1999)
08/05/1999	64	Notice of Deposition by defendant Tri-Color Ind Inc of Ester McAllister, Agnes Daniels, Beth Williams on 8/20/99 (pck) (Entered: 08/06/1999)
08/05/1999	65	Notice of Deposition by defendant Tri-Color Ind Inc of Western Staff Svc, Mitchell's Formal Wear, Brooke Staffing Companies, Kelly Svc, Southern Micro Film on 8/19/99 (pck) (Entered: 08/06/1999)
08/06/1999	66	Exhibit list by plaintiff EEOC (sw) (Entered: 08/06/1999)
08/06/1999	67	Witness list submitted by plaintiff EEOC (sw) (Entered: 08/06/1999)
08/09/1999	68	RETURN OF SERVICE of subps to Thomas J. Meunier, Jr., Jessie Saxton, Roland R. Diaz svd 8/2/99 (sw) (Entered: 08/10/1999)
08/09/1999	69	Preliminary Exhibit list by defendant Tri-Color Ind Inc (sw) (Entered: 08/10/1999)
08/09/1999	70	Witness list submitted by defendant Tri-Color Ind Inc (sw) (Entered: 08/10/1999)
08/10/1999	71	RETURN OF SERVICE of subps to Agnes Daniels, Ester McAllister, Beth Williams svd 8/5/99 (sw) (Entered: 08/11/1999)
08/10/1999	72	RETURN OF SERVICE of subps to Records Custodians of Mitchell's Formal Wear, Kelly Services, Inc., Southern Micro Film, Brooke Staffing Co., Inc. & Western Staff Services svd 8/6/99 (sw) (Entered: 08/11/1999)
08/11/1999	73	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Kelly Services Inc on 8/27/99. (gw) (Entered: 08/16/1999)
08/16/1999	74	Notice of Deposition by plaintiff EEOC of Elizabeth D. Bauer on 9/1/99. (gw) (Entered: 08/17/1999)
08/17/1999	75	Notice of Deposition by defendant Tri-Color Ind Inc of Shiri Ndang on 8/25/99. (gw) (Entered: 08/18/1999)
08/18/1999	78	RETURN OF SERVICE of subp to Shiri Ndang svd 8/17/99 (sw) (Entered: 08/20/1999)
08/19/1999	76	Sealed Document (sw) (Entered: 08/19/1999)
08/19/1999	77	PROTECTIVE ORDER as set out in doc by Judge Marcel Livaudais (sw) (Entered: 08/20/1999)
08/20/1999	82	Motion by plaintiff EEOC and ORDER for protective order as set forth in doc , by Judge Marcel Livaudais Date Signed: 8/23/99 (sek) (Entered: 08/26/1999)
08/23/1999	79	Notice of Deposition by defendant Tri-Color Ind Inc of Ester McAllister on 9/15/99. (gw) (Entered: 08/24/1999)
08/23/1999	80	Notice of Deposition by defendant Tri-Color Ind Inc of Michelle Diaz on 9/15/99. (gw) (Entered: 08/24/1999)
08/25/1999	81	RETURN OF SERVICE of subp to Ester McAllister, to Roland R. Diaz & to Michelle Diaz svd 8/24/99. (sek) (Entered: 08/26/1999)

09/15/1999	83	Notice of Deposition by dft Tri-Color Ind Inc of Roland R. Diaz on 9/20/99. (dno) (Entered: 09/16/1999)
09/16/1999	84	RETURN OF SERVICE of subp to Roland R. Diaz svd 9/15/99. (dno) (Entered: 09/17/1999)
09/23/1999	85	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Record Masters of New Orleans on 10/7/99 (sw) (Entered: 09/27/1999)
09/23/1999	86	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of J. C. Penney Co., Inc. on 10/7/99 (sw) (Entered: 09/27/1999)
09/23/1999	87	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Sewage & Water Board on 10/7/99 (sw) (Entered: 09/27/1999)
09/24/1999	88	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Pro-Tel Services Corporation on 10/8/99 (sw) (Entered: 09/27/1999)
09/24/1999	89	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Folgers Coffee Company on 10/8/99 (sw) (Entered: 09/27/1999)
09/24/1999	90	Notice of Deposition by defendant Tri-Color Ind Inc of Records Custodian of Dennis Mortuary on 10/8/99 (sw) (Entered: 09/27/1999)
09/27/1999	91	RETURN OF SERVICE of subp on Records Masters of NO, Sewage & Water Board & J.C. Penney Co., Inc. on 9/24/99 (cca) (Entered: 09/28/1999)
09/29/1999	92	Notice of Deposition by defendant Tri-Color Ind Inc of Cash Money Records on 10/12/99 (tbl) (Entered: 09/30/1999)
09/29/1999	93	Notice of Deposition by defendant Tri-Color Ind Inc of National Tax Center, Inc. on 10/12/99 (tbl) (Entered: 09/30/1999)
09/29/1999	94	Notice of Deposition by defendant Tri-Color Ind Inc of National Tax Center, Inc. on 10/12/99 (tbl) (Entered: 09/30/1999)
09/29/1999	95	Notice of Deposition by defendant Tri-Color Ind Inc of XLC Services on 10/12/99 (tbl) (Entered: 09/30/1999)
09/29/1999	96	Notice of Deposition by defendant Tri-Color Ind Inc of National Tax Center, Inc. on 10/12/99 (tbl) (Entered: 09/30/1999)
09/29/1999	97	Notice of Deposition by defendant Tri-Color Ind Inc of Davis Accounting on 10/12/99 (tbl) (Entered: 09/30/1999)
09/30/1999	98	RETURN OF SERVICE of subp upon Folgers Coffee Company, Dennis Mortuary on 9/27/99 (pck) (Entered: 10/05/1999)
09/30/1999	99	USM's RETURN OF SERVICE of subp upon Thomas J. Meunier on 9/28/99, Leslie Diaz on 9/29/99, Kenneth Boudreaux on 9/28/99 (pck) (Entered: 10/05/1999)
10/01/1999	102	USM's RETURN OF SERVICE of subp on N Eleanor Graham on 10/6/99 (cca) (Entered: 10/08/1999)
10/04/1999	100	MINUTE ENTRY(10/01/99): ; Settlement conference held 2:00 10/1/99 , settlement has been reached by Magistrate Alma Chasez (cca) (Entered: 10/04/1999)

		10/05/1999)
10/05/1999	101	60-DAY ORDER OF DISMISSAL: the final pre-trial conf scheduled 10/7/99 & jury trial are canceled. by Judge Marcel Livaudais ***CASE CLOSED*** (sw) Modified on 11/02/1999 (Entered: 10/06/1999)
10/07/1999	103	USM RETURN OF SERVICE-UNEXECUTED of subp upon Sylvia Diaz. (rg) (Entered: 10/08/1999)
10/07/1999	104	USM RETURN OF SERVICE-UNEXECUTED of subp upon Michelle Diaz & Melanie Jones. (rg) (Entered: 10/08/1999)
10/07/1999	105	USM RETURN OF SERVICE of subp upon Jessie Saxton on 10/4/99. (rg) (Entered: 10/08/1999)
10/07/1999	106	RETURN OF SERVICE of subp to Kim Goins Temple on 9/29/99. (gw) (Entered: 10/12/1999)
11/29/1999	107	Joint Mtn by pla EEOC & dft Tri-Color Ind Inc and ORDER for approval of entry of consent decree AS SET OUT IN DOC. W/in 30 days after entry of this decree, Tri-Cor shall pay the sum of \$50,000.00 as damages to Sylvia Diaz. by Judge Marcel Livaudais (dno) (Entered: 12/01/1999)

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