

CLOSED, JMR

**U.S. District Court  
Southern District of Mississippi (Southern)  
CIVIL DOCKET FOR CASE #: 1:99-cv-00438-DCB**

Equal Employment v. Tenet Healthcare, et al  
Assigned to: Judge David C. Bramlette, III  
Demand: \$0  
Case in other court: 01-60696  
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 09/29/1999  
Date Terminated: 06/25/2001  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Ermea J. Russell**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
Dr. A. H. McCoy Federal Building  
100 West Capitol St., Suite 207  
Jackson, MS 39269  
601/214-3702  
Email: erusslaw@aol.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Tenet Health Care Corp.**

represented by **Henry P. Julien, Jr.**  
THE KULLMAN FIRM  
1600 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163  
(504) 524-4162  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert P. Lombardi(PHV)**  
THE KULLMAN FIRM  
1600 Energy Centre  
1100 Poydras Street  
New Orleans, LA 70163  
(504) 524-4162  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**S. Mark Klyza - PHV**  
THE KULLMAN FIRM  
1600 Energy Centre

1100 Poydras Street  
 New Orleans, LA 70163  
 (504) 524-4162  
 Email: smk@kullmanlaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**ORDNA**  
*TERMINATED: 06/23/2000*  
*doing business as*  
 Gulf Coast Medical Center

**Interested Party**

**Charles E. Guerrier**

represented by **Charles E. Guerrier**  
 Birmingham District Office  
 EEOC  
 1130 22nd St. South, Suite 2000  
 Birmingham, AL 35205-2881  
 205-731-0082  
 PRO SE

**Defendant**

**Gulfcoast Community Hospital, Inc.**  
*doing business as*  
 Gulf Coast Medical Center

**Defendant**

**ORNDA**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/29/1999	1	COMPLAINT; jury demand; Notice of Assignment mailed. (thr) (Entered: 09/30/1999)
09/29/1999		Magistrate Judge Assignment Alfred G. Nicols (thr) (Entered: 09/30/1999)
09/29/1999		Case assigned to Pending Track - designation of appropriate track will be made after Case Management Conference and a final track assignment. (thr) (Entered: 09/30/1999)
09/29/1999	2	Pre-Discovery Disclosure by plaintiff Equal Employment (thr) (Entered: 09/30/1999)
10/01/1999	3	ORDER; that the above styled and numbered cause was inadvertently assigned to the Jackson Division and is hereby Transferring Case to Southern Division of U. S. District Court for the Southern District of Ms ( signed by Judge Tom S. Lee ); copies mailed. (sec) (Entered: 10/04/1999)
10/01/1999		Intradistrict transfer to Southern Division (sec) (Entered: 10/04/1999)

10/04/1999		Memo re: transfer along with entire file, docket sheet and certified copy of order transferring case to S/D MS, Southern Division. (sec) (Entered: 10/04/1999)
10/05/1999		CASE reassigned to Judge David C. Bramlette III. (pak) (Entered: 10/05/1999)
10/05/1999		Magistrate Judge John M. Roper Assignment. (pak) (Entered: 10/05/1999)
10/05/1999		Memo to attorneys and courtroom deputies advising of judge assignment and civil action no. (pak) (Entered: 10/05/1999)
10/13/1999	5	ORDER rescheduling case management conference to 12-6-99 at 2:30 ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 10/15/1999)
10/13/1999		Case Management Conference set at 2:30 on 12/6/99. Location: Biloxi before Magistrate Judge John M. Roper; copies mailed to Ermea J. Russell. (fe) (Entered: 10/15/1999)
12/02/1999	6	ORDER rescheduling case management conference to 1-24, 2000 at 10:30 ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 12/02/1999)
12/02/1999		Case Management Conference set at 10:30 on 1/24/00. Location: Biloxi before Magistrate Judge John M. Roper; copies mailed to Ermea J. Russell. (fe) (Entered: 12/02/1999)
01/20/2000	7	ORDER rscheduling case management conference to 2-23-00 at 11:30 ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 01/21/2000)
01/20/2000		Case Management Conference set at 11:30 on 2/23/00. Location: Biloxi before Magistrate Judge John M. Roper; copy mailed to Ermea J. Russell. (fe) (Entered: 01/21/2000)
01/24/2000	8	Notice of Service of Disclosure by plaintiff Equal Employment. (fe) (Entered: 01/24/2000)
01/27/2000	9	REQUEST FOR WAIVER of Service as to Tenet Healthcare, ORDNA 1/26/00 Waiver of Service due by 2/25/00 for ORDNA, for Tenet Healthcare (spc) (Entered: 01/28/2000)
01/28/2000	10	REQUEST FOR WAIVER of Service as to Tenet Healthcare (spc) (Entered: 01/28/2000)
01/31/2000	11	Notice of Service of Disclosure by plaintiff Equal Employment. (fe) (Entered: 01/31/2000)
02/17/2000	12	ORDER TO SHOW CAUSE: That plaintiff show cause within 20 days why this action should not be dismissed; that failure to respond to this order may result in dismissal ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 02/17/2000)
02/17/2000	13	ORDER rescheduling case management to 3-20-00 at 3:00 ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 02/17/2000)
02/17/2000		Case Management Conference set at 3:00 on 3/20/00. Location: Biloxi before Magistrate Judge John M. Roper; copies mailed to Ermea J. Russell and Aimee P. Kullman. (fe) Modified on 03/08/2000 (Entered: 02/17/2000)

02/22/2000	14	WAIVER OF SERVICE Returned Executed as to Tenet Healthcare on 2/16/00. Answer due on 4/16/00. (fe) (Entered: 02/22/2000)
03/06/2000	15	Response by plaintiff Equal Employment to Order to Show Cause (avm) (Entered: 03/06/2000)
03/14/2000	16	ORDER: case is rescheduled for a case management conference on 5/22/00 at 2:30 due to issue not joined (answer due 4/16/00) ( signed by Magistrate Judge John M. Roper ); copies mailed. (pak) (Entered: 03/14/2000)
03/28/2000	17	Minute Entry Order:Case management changed to 5-22-00 at 10:00 ( signed by Magistrate Judge John M. Roper ) Copies mailed. (fe) (Entered: 03/28/2000)
03/28/2000		Case Management Conference set at 10:00 on 5/22/00. Location: Biloxi before Magistrate Judge John M. Roper; copies mailed to Aimee P. Kullman, Ermea J. Russell. (fe) (Entered: 03/28/2000)
04/26/2000	18	ANSWER to Complaint by defendant Tenet Healthcare. (fe) (Entered: 04/26/2000)
04/26/2000		Case Management Conference Notice - Minute Entry Order filed 3-28-00, mailed to Robert P. Lombardi, Henry P. Julien Jr., S. Mark Klyza. (fe) (Entered: 04/26/2000)
05/22/2000	19	CASE MANAGEMENT PLAN ORDER Case Assigned to CJRA Track: Standard; Parties Do Not Consent to Trial by a Magistrate Judge; Joining of parties,amending of pleadings by 6/22/00 ; Discovery cutoff 1/3/01; Jury Trial 5/7/01; Motion Filing deadline on 1/15/01; Dft Designation of Experts by 11/1/00 ; Pla. Designation of Experts by 10/1/00; ( signed by Magistrate Judge John M. Roper ) copies mailed. (pak) (Entered: 05/22/2000)
05/22/2000		Case Management Conference held. (pak) (Entered: 05/22/2000)
05/22/2000		Case assigned to Standard Track. (pak) (Entered: 05/22/2000)
05/24/2000	20	MOTION by defendant Tenet Healthcare for S. Mark Klyza, Henry P. Julien, Jr. & Robert P. Lombardi to Appear Pro Hac Vice (fe) (Entered: 05/24/2000)
05/30/2000	21	ORDER granting [20-1] motion for S. Mark Klyza, Henry P. Julien, Jr. & Robert P. Lombardi to Appear Pro Hac Vice ( signed by Magistrate Judge John M. Roper ); copies mailed. (fe) (Entered: 05/30/2000)
06/23/2000	22	AMENDED COMPLAINT by plaintiff Equal Employment (Answer due 7/3/00) amending [1-1] complaint; adding defendants Gulfcoast Community Hospital, Inc. d/b/a Gulf Coast Medical Center, and ORNDA. (spc) (Entered: 06/23/2000)
08/17/2000	23	AMENDED ANSWER to Complaint by defendant Gulfcoast Community : amends [18-1] answer by defendant (wld) (Entered: 08/17/2000)
09/07/2000	24	WAIVER OF SERVICE Returned Executed as to Gulfcoast Community 6/24/00 Answer due on 8/23/00 for Gulfcoast Community (avm) (Entered: 09/07/2000)
10/18/2000	25	JOINT MOTION by plaintiff Equal Employment, defendant Tenet Healthcare, defendant Gulfcoast Community, defendant ORNDA to Extend Time for discovery deadline (wld) (Entered: 10/18/2000)

10/25/2000	26	Minute Entry Order: granting [25-1] joint motion to Extend Time for discovery deadline, set Discovery deadline to 1/15/01 , set Motion Filing deadline to 2/1/01 ( signed by Magistrate Judge John M. Roper ) Copies mailed. (wld) (Entered: 10/25/2000)
12/18/2000	27	Notice of Service of Response by plaintiff Equal Employment to Defendant's 1st Interrogatories and Request for Production (avm) (Entered: 12/18/2000)
01/09/2001	28	MOTION by defendant Gulfcoast Community to Compel Discovery (avm) (Entered: 01/09/2001)
01/09/2001	29	MOTION by defendant Gulfcoast Community for Expedited Hearing on Motion to Compel Discovery (avm) (Entered: 01/09/2001)
01/09/2001	30	Good Faith Certificate executed by Robert P. Lombardi, Ermea J. Russell as to [28-1] motion to Compel Discovery by defendant (avm) (Entered: 01/09/2001)
01/16/2001	31	Notice of Service of Response by plaintiff Equal Employment to Interrogatories and Requests for Production (avm) (Entered: 01/16/2001)
01/24/2001	32	SECOND MOTION by defendant Gulfcoast Community to Compel Discovery (wld) (Entered: 01/24/2001)
01/24/2001	33	MOTION by defendant Gulfcoast Community to Expedite Hearing on Defendant's Second Motion to Compel Discovery (wld) (Entered: 01/24/2001)
01/24/2001	34	Good Faith Certificate executed by Robert P. Lombardi, Ermea J. Russell as to [32-1] motion to Compel Discovery by defendant, motion is unopposed by all parties. (wld) (Entered: 01/24/2001)
01/24/2001	35	Minute Entry Order: Pursuant to a telephone conference on this date, defendant's second motion to compel will be filed on this date and faxed to plaintiff. Plaintiff must respond by 1/29/01. Defendant will file any rebuttal as of 1/31/01. ( signed by Magistrate Judge John M. Roper ) Copies mailed. (wld) (Entered: 01/24/2001)
01/24/2001	36	RESPONSE by plaintiff Equal Employment to [32-1] motion to Compel Discovery by defendant (spc) (Entered: 01/25/2001)
01/30/2001	37	RESPONSE by plaintiff Equal Employment to [32-1] motion to Compel Discovery by defendant (wld) (Entered: 01/30/2001)
02/01/2001	38	REPLY by defendant Gulfcoast Community to response to [32-1] motion to Compel Discovery by defendant, [28-1] motion to Compel Discovery by defendant (wld) (Entered: 02/01/2001)
02/09/2001	39	Minute Entry Order: granting [33-1] motion to Expedite Hearing on Defendant's Second Motion to Compel Discovery, granting [32-1] motion to Compel Discovery, granting [29-1] motion for Expedited Hearing on Motion to Compel Discovery, granting [28-1] motion to Compel Discovery, plaintiff has not complied with rules 33 and 34 and must respond. Plaintiff must fully respond to propounded discovery on or prior to 2/19/01. The motion deadline is extended to 2/27/01. ( signed by Magistrate Judge John M. Roper ) Copies mailed. (wld) (Entered: 02/09/2001)
02/26/2001	40	Notice of Service of Response by plaintiff Equal Employment to interrogatories and requests for production of documents. (wld) (Entered: 02/26/2001)

02/28/2001	41	MOTION by defendant Tenet Healthcare, defendant ORNDA for Summary Judgment (wld) (Entered: 02/28/2001)
03/13/2001	42	RESPONSE by plaintiff Equal Employment to [41-1] motion for Summary Judgment by defendants. (fe) (Entered: 03/14/2001)
03/13/2001	43	Notice of Service of Response by plaintiff Equal Employment to interrogatories & requests for production. (fe) (Entered: 03/14/2001)
03/20/2001		Pre-Trial/settlement Conference set for 9:30 on 4/19/01. (fe) (Entered: 03/20/2001)
03/22/2001	44	MOTION by defendant Gulfcoast Community for Sanctions (avm) (Entered: 03/22/2001)
03/22/2001	45	MOTION by defendant Gulfcoast Community for Expedited Hearing on Motion for Sanctions (avm) (Entered: 03/22/2001)
03/22/2001	46	Minute Entry Order: Plaintiff must respond to motion for sanctions on or prior to 3-30-01 ( signed by Magistrate Judge John M. Roper ) Copies mailed. (fe) (Entered: 03/23/2001)
03/26/2001	47	REPLY by defendant Tenet Healthcare to response to [41-1] motion for Summary Judgment by defendants. (fe) (Entered: 03/26/2001)
03/30/2001	48	RESPONSE by plaintiff Equal Employment to [44-1] motion for Sanctions by defendant (wld) Modified on 04/02/2001 (Entered: 04/02/2001)
04/03/2001	49	REPLY by defendant Tenet Healthcare, defendant ORNDA to response to [41-1] motion for Summary Judgment by defendants (wld) (Entered: 04/03/2001)
04/03/2001	50	MOTION by defendant Tenet Healthcare, defendant ORNDA for Leave to File Supplemental Replyi to plaintiff's opposition to defendant's motion for summary judgment in excess of 35 pages (wld) (Entered: 04/03/2001)
04/05/2001	51	MOTION by defendant Tenet Healthcare, defendant ORNDA to Amend the Record (wld) (Entered: 04/05/2001)
04/09/2001	52	RESPONSE by plaintiff Equal Employment to [50-1] motion for Leave to File Supplemental Reply to plaintiff's opposition to defendant's motion for summary judgment in excess of 35 pages by defendants (avm) (Entered: 04/09/2001)
04/09/2001	53	MOTION by defendant Tenet Healthcare in Limine to Exclude Data from Evidence (avm) (Entered: 04/09/2001)
04/09/2001	54	ORDER granting [50-1] motion for Leave to File Supplemental Reply to plaintiff's opposition to defendant's motion for summary judgment in excess of 35 pages ( signed by Judge David C. Bramlette III ); copies mailed. (spc) (Entered: 04/09/2001)
04/12/2001	55	ORDER granting [51-1] motion to Amend the Record. The exhibits attached to defendant's motion are incorporated in the record as part of Exhibit 13 to defendant's motion for summary judgment. ( signed by Judge David C. Bramlette III ); copies mailed. (spc) (Entered: 04/12/2001)

04/20/2001	56	Minute Entry Order: Continuing trial; reset Jury Trial to 7/9/01 thru 7/27/01 calendar ( signed by Magistrate Judge John M. Roper ) copies mailed. (spc) (Entered: 04/20/2001)
04/20/2001		Pre-Trial Conference held (spc) (Entered: 04/20/2001)
05/24/2001		Pre-Trial Conference set for 9:30 6/13/01 (spc) (Entered: 05/24/2001)
06/04/2001	57	MOTION by defendant Tenet Healthcare, defendant ORNDA for Leave to File 2nd supplemental reply to plaintiff's response in opposition to motion for sanctions and to exceed 35 pages (fe) (Entered: 06/04/2001)
06/04/2001	58	MOTION by defendant Tenet Healthcare, defendant ORNDA Substitued in Limine (fe) (Entered: 06/04/2001)
06/04/2001	59	Supplemental REPLY by defendant Tenet Healthcare, defendant ORNDA to response to motion for sanctions. (fe) (Entered: 06/04/2001)
06/20/2001	60	MOTION by plaintiff Equal Employment to Extend Time to file response to motion (spc) (Entered: 06/20/2001)
06/25/2001	61	MEMORANDUM OPINION and ORDER granting defendant's [41-1] motion for Summary Judgment and that plaintiff's claims are dismissed with prejudice, denying defendant's [45-1] motion for Expedited on Motion for Sanctions, denying [44-1] motion for sanctions, granting defendant's [57-1] motion for Leave to File 2nd supplemental reply to plaintiff's response in opposition to motion for sanctions and to exceed 35 pages ( signed by Judge David Bramlette III ) ; copies mailed. ob: 2001 page: 520-549 (fe) (Entered: 06/26/2001)
06/25/2001	62	FINAL JUDGMENT that plaintiff's claims are dismissed with prejudice ( signed by Judge David C. Bramlette III ); copies mailed. ob 2001 page 520 (fe) (Entered: 06/26/2001)
06/25/2001		Case closed (fe) (Entered: 06/26/2001)
07/27/2001	63	Bill of costs in the amount of \$4,423.63 (wld) (Entered: 07/27/2001)
07/30/2001		Costs \$ 4,423.63 taxed for defendant ORNDA dba Gulf Coast Medical Center copies mailed. (wld) (Entered: 07/30/2001)
08/03/2001	64	MOTION by plaintiff Equal Employment to Review and objection to taxation of costs. (wld) (Entered: 08/06/2001)
08/20/2001	65	RESPONSE by defendant Gulfcoast Community in opposition to [64-1] motion to Review and objection to taxation of costs by plaintiff. (fe) (Entered: 08/21/2001)
08/21/2001	66	NOTICE OF APPEAL of [62-1] judgment order by plaintiff Equal Employment. (fe) (Entered: 08/21/2001)
08/30/2001	67	NOTICE OF APPEAL of [62-1] judgment order by defendant Tenet Healthcare, defendant Gulfcoast Community. (fe) (Entered: 08/30/2001)
09/05/2001		USCA Case Number Re: [66-1] appeal by Equal Employment USCA NUMBER: 01-60696. (fe) (Entered: 09/05/2001)

09/07/2001		Certified and transmitted Record on Appeal to U.S. Court of Appeals: [67-1] appeal by Gulfcoast Community, Tenet Healthcare, [66-1] appeal by Equal Employment. (fe) (Entered: 09/07/2001)
10/31/2001	68	JUDGMENT OF USCA (certified copy) dismissing pursuant to motion of appellant-cross-appellee & appelle-cross-appellant Re: [67-1] appeal by Gulfcoast Community, Tenet Healthcare. (fe) (Entered: 10/31/2001)
11/15/2001		Record on Appeal returned from U.S. Court of Appeals: [67-1] appeal, [66-1] appeal (fe) (Entered: 11/15/2001)
03/28/2002	69	MEMORANDUM OPINION and ORDER that the Clerk tax costs against pltf in amount of \$4,046.33 ( signed by Judge David C. Bramlette III ) ;copies mailed. (fe) (Entered: 03/28/2002)

**PACER Service Center**

**Transaction Receipt**

06/18/2007 12:54:56

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:99-cv-00438-DCB
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40