

CJRA-S, CLOSED, JURY

**U.S. District Court  
Northern District of Mississippi (Delta Division)  
CIVIL DOCKET FOR CASE #: 2:04-cv-00278-GHD-SAA**

EEOC v. Retzer Resources, In  
Assigned to: Glen H. Davidson  
Referred to: S. Allan Alexander  
Demand: \$0  
Cause: 42:2003 Job Discrimination

Date Filed: 09/27/2004  
Date Terminated: 01/25/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Charles E. Guerrier**  
EEOC, BIRMINGHAM DISTRICT  
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1130 - 22nd Street South  
Ridge Park Place Suite 2000  
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Email: charles.guerrier@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Retzer Resources, Inc.**  
*doing business as*  
 McDonald's

represented by **Mark D. Fijman**  
 PHELPS DUNBAR  
 P.O. Box 23066  
 Jackson, MS 39225-3066  
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**ATTORNEY TO BE NOTICED**

| <b>Date Filed</b> | <b>#</b>          | <b>Docket Text</b>   |
|-------------------|-------------------|--|
| 09/27/2004        | <a href="#">1</a> | COMPLAINT for Title VII Violation of Civil Rights; jury demand (kmt) (Entered: 09/28/2004)   |
| 09/27/2004        |                   | **Set Jury Flag (kmt) (Entered: 09/28/2004)  |
| 09/27/2004        |                   | NOTICE OF ASSIGNMENT Chief Judge Glen H. Davidson and Magistrate Judge S. Allan Alexander (kmt) (Entered: 09/28/2004)  |
| 11/04/2004        | <a href="#">2</a> | CLERK'S NOTICE of Incomplete Process Re: Retzer Resources, Inc. (rke, USDC)  |
| 11/04/2004        | <a href="#">3</a> | REQUEST FOR WAIVER of Service sent to Retzer Resources, Inc. on 11/02/04 by Equal Employment Opportunity Commission. (nsm, USDC) (Entered: 11/08/2004)   |
| 11/08/2004        | <a href="#">4</a> | ANSWER to Complaint by Retzer Resources, Inc..(kmt, USDC) (Entered: 11/09/2004)  |
| 11/12/2004        | <a href="#">6</a> | WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Retzer Resources, Inc.; waiver served on 11/4/2004, answer due 1/3/2005. (nfs, USDC) (Entered: 11/16/2004)   |
| 11/16/2004        | <a href="#">5</a> | INITIAL ORDER - RULE 16.1 Case Management Conference set for 1/4/2005 09:00 AM in Judge Alexander Chambers before S. Allan Alexander.. Signed by Judge S. Allan Alexander on 11/16/04. (wsm, USDC)   |
| 01/04/2005        | <a href="#">7</a> | Minute Entry for proceedings held before Judge S. Allan Alexander : Case Management Conference held on 1/4/2005. (Court Reporter none.) (wsm, USDC)  |
| 01/04/2005        | <a href="#">8</a> | CASE MANAGEMENT ORDER: Case assigned to standard track. Final Pretrial Conference set for 1/10/2006 01:30 PM in Judge Alexander Chambers before S. Allan Alexander. Discovery due by 10/13/2005. Amendments/Joinder of Parties due by 2/4/2005. Plaintiffs Designation of Experts due by 4/13/2005. Defendants |

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|            |                    | Designation of Experts due by 8/13/2005. Motions due by 10/27/2005.. Signed by Judge S. Allan Alexander on 01/04/05. (wsm, USDC)   |
| 01/06/2005 | <a href="#">9</a>  | NOTICE of Trial: MVD/Jury Trial set for 2/27/2006 09:30 AM in Oxford Courtroom 3 East before Chief Judge Glen H. Davidson. (rel, USDC)   |
| 01/10/2005 | <a href="#">10</a> | NOTICE of Conference: Final Pretrial Conference set for 1/10/2006 01:30 PM in Judge Alexander Chambers before S. Allan Alexander. (wsm, USDC)  |
| 03/21/2005 | <a href="#">11</a> | NOTICE to Take Deposition of Valerie Cozart (Miller, Paul)   |
| 03/30/2005 | <a href="#">12</a> | MOTION for Discovery <i>to compel</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Affidavit Affidavit of Debra Crook# <a href="#">2</a> Exhibit Attachments to Crook Affidavit# <a href="#">3</a> Good Faith Certificate)(Guerrier, Charles) Modified on 4/1/2005 (tab, USDC). |
| 04/01/2005 | <a href="#">13</a> | RESPONSE in Opposition re <a href="#">12</a> Emergency MOTION for Discovery <i>to compel</i> filed by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A-D)(Fijman, Mark)   |
| 04/04/2005 | <a href="#">14</a> | PROTECTIVE ORDER. Signed by Judge Jerry A. Davis on 4/4/05. (kbt, USDC)  |
| 04/04/2005 | <a href="#">15</a> | ORDER denying <a href="#">12</a> Motion to Compel Discovery . Signed by Judge Jerry A. Davis on 4/4/05. (lmf, USDC)  |
| 04/05/2005 | <a href="#">16</a> | NOTICE of Attorney Appearance by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission (Crook, Debra)  |
| 05/02/2005 | <a href="#">17</a> | MOTION to Compel by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A-C# <a href="#">2</a> Exhibit D-J)(Fijman, Mark)  |
| 05/16/2005 | <a href="#">18</a> | RESPONSE to Motion re <a href="#">17</a> MOTION to Compel filed by Equal Employment Opportunity Commission. (Crook, Debra)   |
| 05/17/2005 | <a href="#">19</a> | Exhibits to <a href="#">18</a> Response to <a href="#">17</a> Motion <i>to Compel</i> by Equal Employment Opportunity Commission. (Crook, Debra) Modified on 5/18/2005 (nsm, USDC). Modified on 5/18/2005 (nsm, USDC).   |
| 05/18/2005 | <a href="#">20</a> | ORDER denying <a href="#">17</a> Motion to Compel . Signed by Judge S. Allan Alexander on 5.18.2005. (slw, USDC)   |
| 05/31/2005 | <a href="#">21</a> | NOTICE to Take Deposition of Veleria Cozart, Mark Vortice, and Anthony Upshaw (Miller, Paul)   |
| 06/09/2005 | <a href="#">22</a> | NOTICE OF SERVICE of Plaintiff's First Requests for Production by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission to Retzer Resources, Inc.. (Crook, Debra)  |
| 07/12/2005 | <a href="#">23</a> | NOTICE OF SERVICE of Defendant's Response to Plaintiff's First Set of Requests for Production of Documents by Mark D. Fijman on behalf of Retzer Resources, Inc. to Plaintiff. (Fijman, Mark)  |
| 07/13/2005 | <a href="#">24</a> | NOTICE by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission of <i>Expert Witness Disclosures</i> (Crook, Debra)  |
| 07/21/2005 | <a href="#">25</a> | NOTICE OF SERVICE of Second Requests for Production of Documents by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission to Retzer Resources, Inc., d/b/a McDonald's. (Crook, Debra)  |

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| 08/12/2005 | <a href="#">26</a> | NOTICE to Take Deposition of Jacqueline Cunningham by Mark D. Fijman on behalf of Retzer Resources, Inc. (Fijman, Mark)  |
| 08/17/2005 | <a href="#">27</a> | MOTION for Contempt <i>and</i> , MOTION for Sanctions <i>on John Doe</i> by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(Fijman, Mark)  |
| 08/25/2005 | <a href="#">28</a> | NOTICE OF SERVICE of Defendant's Response to Plaintiff's Second Set of Requests for Production of Documents by Mark D. Fijman on behalf of Retzer Resources, Inc. to Plaintiff. (Fijman, Mark)   |
| 09/06/2005 | <a href="#">29</a> | Objections to <a href="#">27</a> MOTION for Contempt and MOTION for Sanctions on John Doe. (nfs, USDC)   |
| 09/06/2005 | <a href="#">30</a> | MEMORANDUM IN SUPPORT, re: <a href="#">29</a> Objection. (nfs, USDC) (Entered: 09/07/2005)   |
| 09/06/2005 | <a href="#">31</a> | NOTICE (Declaration of Technical Difficulties) by Charles E. Guerrier on behalf of Equal Employment Opportunity Commission, re: <a href="#">29</a> Objection. (nfs, USDC) (Entered: 09/07/2005)  |
| 09/12/2005 | <a href="#">32</a> | REPLY to Response to Motion re <a href="#">27</a> MOTION for Contempt <i>and</i> MOTION for Sanctions <i>on John Doe</i> filed by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A)(Fijman, Mark)   |
| 09/20/2005 | <a href="#">33</a> | ORDER denying <a href="#">27</a> Motion for Contempt, denying <a href="#">27</a> Motion for Sanctions. Signed by Judge S. Allan Alexander on 09/20/05. (tlk, USDC)   |
| 09/26/2005 | <a href="#">34</a> | ORDER re <a href="#">29</a> Objection filed by Equal Employment Opportunity Commission, . Signed by Judge Glen H. Davidson on 9/26/05. (nsm, USDC)   |
| 10/13/2005 | <a href="#">35</a> | NOTICE OF SERVICE of Third Supplemental Initial Disclosures by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission to Retzer Resources, Inc., d/b/a McDonald's. (Crook, Debra)   |
| 10/18/2005 | <a href="#">36</a> | MOTION for Summary Judgment by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A-B# <a href="#">2</a> Exhibit C, Part 1# <a href="#">3</a> Exhibit C, Part 2# <a href="#">4</a> Exhibit C, Part 3, D & E# <a href="#">5</a> Exhibit F-H)(Fijman, Mark)   |
| 10/18/2005 | <a href="#">37</a> | MEMORANDUM IN SUPPORT re <a href="#">36</a> MOTION for Summary Judgment. (Attachments: # <a href="#">1</a> Appendix)(Fijman, Mark)   |
| 10/31/2005 | <a href="#">38</a> | NOTICE of Attorney Appearance by Paul O. Miller, III on behalf of Retzer Resources, Inc. (Miller, Paul)  |
| 11/01/2005 | <a href="#">39</a> | RESPONSE in Opposition re <a href="#">36</a> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Appendix List of Exhibits# <a href="#">2</a> Exhibit Doe Deposition part 1# <a href="#">3</a> Exhibit Doe Deposition part 2# <a href="#">4</a> Exhibit Cozart deposition# <a href="#">5</a> Exhibit Vortice deposition# <a href="#">6</a> Exhibit Forrest deposition# <a href="#">7</a> Exhibit MESC decision)(Guerrier, Charles) |
| 11/04/2005 | <a href="#">40</a> | RESPONSE in Support re <a href="#">36</a> MOTION for Summary Judgment filed by Retzer Resources, Inc.. (Miller, Paul)  |
| 12/23/2005 | <a href="#">41</a> | MOTION in Limine <i>to Exclude John Doe's MESC File</i> by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A-E, Part 1# <a href="#">2</a> Exhibit E, Part 2)(Fijman, Mark)   |

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| 12/23/2005 | <a href="#">42</a> | MOTION in Limine to Exclude Evidence Offered to Prove the Contents of any Purported Document Not In Evidence by Retzer Resources, Inc.. (Attachments: # <a href="#">1</a> Exhibit A-D)(Fijman, Mark)  |
| 01/03/2006 | <a href="#">43</a> | RESPONSE in Opposition re <a href="#">42</a> MOTION in Limine to Exclude Evidence Offered to Prove the Contents of any Purported Document Not In Evidence filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A - Part 1 Veleria Cozart Deposition# (2) Exhibit A- Part 2 Veleria Cozart Deposition# <a href="#">3</a> Exhibit B - Mark Vortice Deposition# <a href="#">4</a> Exhibit C- Cynthia Forrest Deposition# <a href="#">5</a> Exhibit D - Hal Burt Deposition)(Crook, Debra) Modified on 1/4/2006 (tab, USDC). |
| 01/03/2006 | <a href="#">44</a> | RESPONSE in Opposition re <a href="#">41</a> MOTION in Limine to Exclude John Doe's MESC File filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A - Hal Burt Deposition# <a href="#">2</a> Exhibit B - Employee Record)(Crook, Debra)   |
| 01/05/2006 | <a href="#">45</a> | EXHIBIT re <a href="#">43</a> Response in Opposition to Motion, in Limine to Exclude Evidence Offered to Prove the Contents of Any Purported Document Not in Evidence. (Crook, Debra)   |
| 01/10/2006 | <a href="#">46</a> | Minute Entry for proceedings held before Judge S. Allan Alexander : Final Pretrial Conference held on 1/10/2006. Pretrial Order due by 1/20/2006. (wsm, USDC) (Entered: 01/11/2006)   |
| 01/25/2006 | <a href="#">47</a> | JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT without prejudice. Signed by Judge Glen H. Davidson on 01/25/06. (kmt, USDC)   |
| 03/20/2006 | <a href="#">48</a> | NOTICE of Settlement Settlement Agreement by Debra W. Hawes Crook on behalf of Equal Employment Opportunity Commission (Crook, Debra)   |

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|-----------------------------|---------------|-------------------------|-----------------------|
| <b>PACER Service Center</b> |               |                         |                       |
| <b>Transaction Receipt</b>  |               |                         |                       |
| 07/16/2007 11:25:15         |               |                         |                       |
| <b>PACER Login:</b>         | hs0328        | <b>Client Code:</b>     | eeoc                  |
| <b>Description:</b>         | Docket Report | <b>Search Criteria:</b> | 2:04-cv-00278-GHD-SAA |
| <b>Billable Pages:</b>      | 3             | <b>Cost:</b>            | 0.24                  |