

CLOSED

**U. S. District Court for the District of North Dakota (Southwestern)  
CIVIL DOCKET FOR CASE #: 1:99-cv-00107-RSW-DCHK**

EEOC v. Cyclone Drilling Inc  
Assigned to: Judge Rodney S. Webb  
Referred to: Hon. Dwight C.H. Kautzmann  
Demand: \$0  
Case in other court:  
Cause: 42:2000 Job Discrimination (Employment)

Date Filed: 09/30/1999  
Date Terminated: 05/08/2001  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Evangelina Fierro Hernandez**  
EEOC Denver Dist. Office  
303 E 17 AVE RM 510  
DENVER, CO 80203  
303-866-1380  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jacqueline A. Gilvard**  
EEOC Denver Dist. Office  
303 E 17 AVE RM 510  
DENVER, CO 80203  
303-866-1380  
*TERMINATED: 08/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Cyclone Drilling Inc**  
*a Wyoming Corporation*

represented by **Gary R. Wolberg**  
Fleck, Mather & Strutz, Ltd.  
400 E. Broadway  
P.O. Box 2798  
Bismarck, ND 58502-2798  
701-223-6585  
Email: gwolberg@flecklaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Intervenor**

**Tammy Case**

represented by **Thomas Richard Olson**  
JEFFRIES OLSON & FLOM PA  
1325 23RD ST S

FARGO, ND 58103  
 701-280-2300  
 Email: tom@jeffrieslaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/30/1999	1	COMPLAINT (Summons issued); jury demand (ks) (Entered: 09/30/1999)
11/15/1999	2	WAIVER OF SERVICE upon defendant Cyclone Drilling Inc on 10/13/99 Answer due 12/12/99 for Cyclone Drilling Inc (fe) (Entered: 11/16/1999)
12/10/1999	3	ANSWER by defendant Cyclone Drilling Inc to [1-1] (ks) (Entered: 12/10/1999)
12/17/1999	4	ORDER by Hon. Dwight C. Kautzmann with NOTICE OF ENTRY Date 12/17/99 Initial PT Scheduling/Disc conference set for 1/19/00 at 11:00 am not pm (cc: all counsel) (ks) Modified on 12/20/1999 (Entered: 12/17/1999)
01/19/2000	5	SCHEDULING ORDER Hon. Dwight C. Kautzmann ; Scheduling conference held 11:00 1/19/00 ; Discovery set for 10/2/00 ; dispositive motions due by 12/1/00 ; Motion to amend pleadings ddl 4/3/00 ; Expert report due 6/15/00 ; Expert witness ddl 7/14/00 ; Motion to join additional parties ddl 4/3/00 (fe) (Entered: 01/19/2000)
01/19/2000	6	ORDER by Hon. Dwight C. Kautzmann Mid-Disc Teleconf scheduled for 08/07/00 @10:00 (cc: all counsel) (fe) Modified on 07/14/2000 (Entered: 01/19/2000)
01/19/2000	7	ORDER by Hon. Dwight C. Kautzmann ; early settlement conference 10/18/2000 @9:30 (cc: all counsel) (fe) Modified on 07/14/2000 (Entered: 01/19/2000)
01/19/2000	8	NOTICE of Setting: Jury trial scheduled for 03/26/01 @9:30 before the Hon Patrick A Conmy at Bis 4 days (cc: all counsel, court officials) (fe) (Entered: 01/19/2000)
04/03/2000	9	MOTION/BRIEF by defendant Cyclone Drilling Inc to amend answer (ks) (Entered: 04/03/2000)
05/16/2000	10	MOTION/NOTICE OF MOTION/BRIEF to intervene w/attached copy of Complaint in Intervention (fe) (Entered: 05/16/2000)
05/24/2000	11	ORDER by Hon. Dwight C. Kautzmann with NOTICE OF ENTRY Date 5/24/00 granting motion to amend answer [9-1] (cc: all counsel) (ks) (Entered: 05/24/2000)
05/24/2000	12	AMENDED ANSWER [3-1] by defendant Cyclone Drilling Inc (ks) (Entered: 05/24/2000)

05/30/2000	13	AFFIDAVIT OF SERVICE BY MAIL of Joann Kleinknecht regarding amended answer [12-1] (fe) (Entered: 05/30/2000)
05/30/2000	14	RESPONSE by defendant Cyclone Drilling Inc to motion to intervene [10-1] (fe) (Entered: 05/30/2000)
06/05/2000	15	REPLY by intervenor Tammy Case to response to motion to intervene [10-1] (fe) (Entered: 06/05/2000)
07/14/2000	16	MEMORANDUM AND ORDER by Hon. Dwight C. Kautzmann granting motion to intervene [10-1] Case is directed file a properly executed complaint within 10 days of this order (cc: all counsel) (fe) (Entered: 07/14/2000)
07/20/2000	17	INTERVENOR'S COMPLAINT by intervenor Tammy Case with afdt of mail (seal) (Entered: 07/21/2000)
08/07/2000	18	ATTORNEY APPEARANCE for plaintiff EEOC by Evangelina Fierro Hernandez (fe) (Entered: 08/07/2000)
08/07/2000	19	ORDER by Hon. Dwight C. Kautzmann ; Discovery ddl reset to 12/01/00; Dispositive motion cutoff reset to 12/15/00 (cc: all counsel) (fe) Modified on 08/08/2000 (Entered: 08/07/2000)
08/07/2000	20	ORDER by Hon. Dwight C. Kautzmann early settlement conference scheduled for 11/01/00 @9:30 (cc: all counsel) (fe) Modified on 08/08/2000 (Entered: 08/07/2000)
08/07/2000	21	ORDER by Hon. Dwight C. Kautzmann ; Final Pretrial conference 02/26/01 @9:30 (cc: all counsel) (fe) Modified on 08/08/2000 (Entered: 08/07/2000)
08/07/2000	22	ORDER by Hon. Dwight C. Kautzmann ; Final settlement conference 02/26/01 @9:30 (cc: all counsel) (fe) Modified on 08/08/2000 (Entered: 08/07/2000)
08/09/2000	23	ANSWER by defendant Cyclone Drilling Inc to Complaint in Intervention [17-1] (fe) (Entered: 08/09/2000)
10/30/2000	24	NOTICE of Resetting: Early settlement conference rescheduled for 12/21/00 @9:30 before the Hon Dwight CH Kautzmann in Bis (cc: all counsel, court officials) (fe) (Entered: 10/30/2000)
11/20/2000	25	Unopposed MOTION by plaintiff EEOC to amend the Sched Order (ks) (Entered: 11/20/2000)
11/22/2000	26	ORDER by Hon. Dwight C. Kautzmann granting motion to amend the Sched Order [25-1] ; Discovery ddl reset for 2/5/01 (cc: all counsel) (ks) (Entered: 11/22/2000)
12/04/2000	27	NOTICE of Cancellation: Settlement conference2 canceled for 12/21/00 (cc: all counsel, court officials) (fe) (Entered: 12/04/2000)
12/15/2000	28	MOTION/BRIEF by defendant Cyclone Drilling Inc for summary judgment (ks) (Entered: 12/15/2000)

12/15/2000	29	STATEMENT OF MATERIAL FACTS by defendant Cyclone Drilling Inc (ks) (Entered: 12/15/2000)
01/17/2001	30	RESPONSE by plaintiff EEOC to motion for summary judgment [28-1] (ks) (Entered: 01/17/2001)
01/17/2001	31	STATEMENT of Disputed Facts by plaintiff EEOC in re: motion response [30-1] (ks) (Entered: 01/17/2001)
01/17/2001	32	MOTION by plaintiff EEOC to strike dfts m for sum jgm (ks) (Entered: 01/17/2001)
01/17/2001	33	RESPONSE by intervenor Tammy Case to motion for summary judgment [28-1] (ks) (Entered: 01/17/2001)
01/17/2001	34	STATEMENT of Disputed & Undisputed Facts by intervenor Tammy Case in support of motion response [33-1] (ks) (Entered: 01/17/2001)
01/25/2001	35	RESPONSE in opposition by defendant Cyclone Drilling Inc to motion to strike [32-1] (ks) (Entered: 01/25/2001)
01/26/2001	36	MEMORANDUM AND ORDER by Hon. Patrick A. Conmy with NOTICE OF ENTRY Date 1/26/01 denying motion to strike [32-1], denying motion for summary judgment [28-1] (cc: all counsel) (de) (Entered: 01/26/2001)
01/26/2001	37	ORDER OF RECUSAL by Hon. Patrick A. Conmy Case reassigned to Hon. Rodney S. Webb (cc: all counsel) (fe) (Entered: 01/29/2001)
01/31/2001	38	ORDER REASSIGNING CASE to Judge Webb by Hon. Rodney S. Webb (cc: all counsel) (sb) (Entered: 01/31/2001)
02/05/2001	39	MOTION by plaintiff EEOC for leave to file its Discovery Motions (ks) (Entered: 02/05/2001)
02/05/2001	40	MOTION/BRIEF by plaintiff EEOC to compel production of docs , and for sanctions pursuant cert of compliance (ks) (Entered: 02/05/2001)
02/14/2001	41	RESPONSE in opposition by defendant Cyclone Drilling Inc to motion to compel production of docs [40-1], motion for sanctions pursuant cert of compliance [40-2] (ks) (Entered: 02/14/2001)
02/14/2001	42	MOTION by plaintiff EEOC to compel production of documents and responses to EEOC'S second round of discovery, certificate of compliance and supporting memoranda (seal) (Entered: 02/14/2001)
02/16/2001	43	RESPONSE in opposition by defendant Cyclone Drilling Inc to motion for leave to file its Discovery Motions [39-1] (ks) (Entered: 02/16/2001)
02/21/2001	44	NOTICE of RESCHEDULING Final Pretrial and Settlement conferences rescheduled for 3/9/01 @9:00 before the Hon Dwight CH Kautzmann in Bis (cc: all counsel, court officials) (fe) (Entered: 02/21/2001)
02/23/2001	45	MOTION/BRIEF by plaintiff EEOC in limine to exclude evidence (ks) (Entered: 02/23/2001)

02/23/2001	46	MOTION with Table of Athorities by plaintiff EEOC in limine re testimony (ks) (Entered: 02/23/2001)
02/23/2001	47	MOTION/BRIEF by plaintiff EEOC in limine to exclude evidence re Brian Atkinson (ks) (Entered: 02/23/2001)
02/26/2001	48	REPLY by plaintiff EEOC to response to motion to compel production of docs [40-1], motion for sanctions pursuant cert of compliance [40-2]; Table of Authorities (fe) Modified on 02/26/2001 (Entered: 02/26/2001)
02/27/2001	49	ORDER by Hon. Dwight C. Kautzmann denying motion to compel [42-1], granting motion to compel production of docs [40-1], granting motion for sanctions pursuant cert of compliance [40-2], finding the motion for leave to file its Discovery Motions [39-1] moot (cc: all counsel) (ks) (Entered: 02/27/2001)
03/05/2001	50	NOTICE of Cancellation: Pretrial conference set for 3/9/01 canceled (cc: all counsel, court officials) (seal) (Entered: 03/05/2001)
03/05/2001	51	NOTICE of Setting: settlement conference scheduled for 03/09/01 at 9:30 AM (previously set for 9:00 AM) (cc: all counsel, court officials) (seal) (Entered: 03/05/2001)
03/12/2001	52	NOTICE of Cancellation: Jury trial set for 9:30 3/26/01 canceled (cc: all counsel, court officials) (fe) (Entered: 03/12/2001)
04/19/2001	53	LETTER from Jd Kautzmann indicating teleconference for settlement (ks) (Entered: 04/19/2001)
05/08/2001	54	CONSENT JUDGMENT by Hon. Rodney S. Webb with NOTICE OF ENTRY on May 9, 2001: dismissing case (cc: all counsel) (ks) (Entered: 05/09/2001)

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