

87BF, CLOSED

**U.S. District Court**  
**Western District of Oklahoma[LIVE] (Oklahoma City)**  
**CIVIL DOCKET FOR CASE #: 5:05-cv-00749-W**

Equal Employment Opportunity Commission v. Action Inc      Date Filed: 06/30/2005  
Assigned to: Honorable Lee R. West      Date Terminated: 06/20/2006  
Cause: 42:2000 Job Discrimination (Sex)      Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Barbara A Seely**  
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*ATTORNEY TO BE NOTICED*

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**Intervenor Plaintiff**

**James Owings**  
*an Individual*

represented by **Michael R Coulson**  
Michael Coulson Attorney at Law

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*ATTORNEY TO BE NOTICED*

**Intervenor Plaintiff**

**Lance Whissenand**  
*an Individual*

represented by **Michael R Coulson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Action Inc**  
*an Arkansas Corporation*

represented by **Evan B Gatewood**  
Hayes & Magrini  
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405-235-9922  
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*ATTORNEY TO BE NOTICED*

**Third Party Plaintiff**

**James Edward Owings**  
*TERMINATED: 09/13/2005*

represented by **Michael R Coulson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Third Party Plaintiff**

**Lance Adrian Whisenand**  
*TERMINATED: 09/13/2005*

represented by **Michael R Coulson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Third Party Defendant**

**Action Inc**  
*an Arkansas Corporation*  
*TERMINATED: 09/13/2005*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/30/2005	<a href="#">1</a>	COMPLAINT against Action Inc, filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(brs, ) (Entered: 06/30/2005)
06/30/2005	<a href="#">2</a>	ENTRY of Appearance by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (brs, ) (Entered: 06/30/2005)
06/30/2005	<a href="#">3</a>	GENERAL ORDER 04-02 (April 15, 2004) Mandatory Electronic Case Filing (brs, ) (Entered: 06/30/2005)
07/06/2005	<a href="#">4</a>	PRAECIPE for 1 summons by Equal Employment Opportunity Commission. (brs, ) (Entered: 07/07/2005)
07/07/2005		Summons Issued as to Action Inc. (brs, ) (Entered: 07/07/2005)
07/20/2005	<a href="#">5</a>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Action Inc served on 7/14/2005, answer due 8/3/2005. (Robertson, Michelle) (Entered: 07/20/2005)
08/03/2005	<a href="#">6</a>	ENTRY of Appearance by Robert L Magrini on behalf of Action Inc (Magrini, Robert) (Entered: 08/03/2005)
08/03/2005	<a href="#">7</a>	ENTRY of Appearance by Evan B Gatewood on behalf of Action Inc (Gatewood, Evan) (Entered: 08/03/2005)
08/03/2005	<a href="#">8</a>	ANSWER to Complaint by Action Inc.(Gatewood, Evan) (Entered: 08/03/2005)
08/11/2005	<a href="#">9</a>	DOCKET: Scheduling Conference set for 10/5/2005 at 09:20 AM in Chambers before Honorable Lee R. West. (brs, ) (Entered: 08/11/2005)
09/13/2005	<a href="#">10</a>	FIRST THIRD PARTY COMPLAINT against all defendants, filed by James Edward Owings, Lance Adrian Whisennand.(Coulson, Michael) (Entered: 09/13/2005)
09/13/2005	<a href="#">11</a>	FIRST INTERVENOR COMPLAINT, filed by Action Inc. (Attachments: # <a href="#">1</a> Attachment 1 - Intervenor Complaint# <a href="#">2</a> Attachment 2 - Proposed Order)(Coulson, Michael) (Entered: 09/13/2005)
09/13/2005		Docket Annotation: Document number <a href="#">11</a> should be filed as a Motion to Intervene, NOT as a First Intervenor Complaint. (brs, ) (Entered: 09/13/2005)
09/13/2005	<a href="#">12</a>	ORDER that the Court STRIKES Document <a href="#">10</a> Third Party Complaint filed by James Edward Owings, Lance Adrian Whisennand . Signed by Judge Lee R. West on 9/13/05. (brs, ) (Entered: 09/13/2005)
09/14/2005		Docket Annotation: Pursuant to document number <a href="#">12</a> the Third Party Plaintiffs and Third Party Defendant have been terminated. (brs, ) (Entered: 09/14/2005)
09/28/2005	<a href="#">13</a>	JOINT STATUS REPORT <i>AND DISCOVERY PLAN</i> by Plaintiff Equal

		Employment Opportunity Commission. (Costas, Toby) (Entered: 09/28/2005)
10/04/2005	<a href="#">14</a>	ORDER that the Court grants the Motion to Intervene re <a href="#">11</a> and directs the movants to file their complaint in intervention within 5 days of this order . Signed by Judge Lee R. West on 10/4/05. (brs, ) (Entered: 10/04/2005)
10/05/2005	<a href="#">15</a>	SCHEDULING ORDER: Motions to join due 10/5/05; Motions to amend due 10/5/05; Pla witness list due 12/1/05; Pla exhibit list due 12/1/05; Dft witness list due 10 days t/a; Dft exhibit list due 10 days t/a; Motions in limine due 8/1/06; Jury instructions due 8/1/06; Trial briefs due 8/1/06; Discovery due by 7/1/2006. Jury Trial set for 8/14/2006 at 09:00 AM in Courtroom #303 before Honorable Lee R. West. Motions due by 4/1/2006. Pretrial Report due by 8/1/2006.. Signed by Judge Lee R. West on 10/5/05. (brs, ) (Entered: 10/05/2005)
10/06/2005	<a href="#">16</a>	FIRST INTERVENOR COMPLAINT, filed by James Edward Owings, Lance Adrian Whisennand.(Coulson, Michael) (Entered: 10/06/2005)
10/07/2005	<a href="#">17</a>	ANSWER to Intervenor Complaint by Action Inc.(Gatewood, Evan) (Entered: 10/07/2005)
11/03/2005	<a href="#">18</a>	DISCLOSURE STATEMENT - CORPORATE by Action Inc, Action Inc. (Gatewood, Evan) (Entered: 11/03/2005)
12/01/2005	<a href="#">19</a>	Exhibit List / Witness List <i>for Plaintiffs EEOC &amp; Intervenor</i> s by Plaintiff Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 12/01/2005)
12/06/2005	<a href="#">20</a>	OBJECTIONS re <a href="#">19</a> Exhibit List / Witness List filed by Action Inc, Action Inc. (Gatewood, Evan) (Entered: 12/06/2005)
12/06/2005	<a href="#">21</a>	Exhibit List / Witness List by ThirdParty Defendant Action Inc, Defendant Action Inc. (Gatewood, Evan) (Entered: 12/06/2005)
12/13/2005	<a href="#">22</a>	OBJECTIONS re <a href="#">21</a> Exhibit List / Witness List of <i>Defendant</i> filed by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 12/13/2005)
02/17/2006	<a href="#">23</a>	ENTRY of Appearance by Barbara A Seely on behalf of Equal Employment Opportunity Commission (Seely, Barbara) (Entered: 02/17/2006)
02/24/2006	<a href="#">24</a>	ENTRY of Appearance by Robert G Johnson on behalf of Equal Employment Opportunity Commission (Johnson, Robert) (Entered: 02/24/2006)
04/03/2006	<a href="#">25</a>	MOTION for Summary Judgment by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Cover Page, Table of Contents and Table of Authorities# <a href="#">2</a> Exhibit 1 - Complaints# <a href="#">3</a> Exhibit 2-Whisennand Intake Q, part 1# <a href="#">4</a> Exhibit 2-Whisennand intake Q, part b# <a href="#">5</a> Exhibit 3-Whisennand Charge# <a href="#">6</a> Exhibit 4- Whisennand S.Harassment Q.# <a href="#">7</a> Exhibit 5-Owings Intake Q, part a# <a href="#">8</a> Exhibit 5-Owings Intake Q, part b#

		<p><a href="#">9</a> Exhibit 6-Owings Charge# <a href="#">10</a> Exhibit 7-Admissions of Defendant# <a href="#">11</a> Exhibit 8-Letter by Defendant# <a href="#">12</a> Exhibit 9- Notice of Charges# <a href="#">13</a> Exhibit 10-Request for Information by EEOC# <a href="#">14</a> Exhibit 10a-Letter by Defendant# <a href="#">15</a> Exhibit 11-Letters of Determination# <a href="#">16</a> Exhibit 12-Conciliation letter by EEOC# <a href="#">17</a> Exhibit 13-Conciliation Failure ltr) (Robertson, Michelle) (Entered: 04/03/2006)</p>
04/21/2006	<a href="#">26</a>	<p>MOTION for Extension of Time to File Response/Reply as to <a href="#">25</a> MOTION for Summary Judgment by Action Inc, Action Inc. (Gatewood, Evan) (Entered: 04/21/2006)</p>
04/26/2006	<a href="#">27</a>	<p>ORDER granting <a href="#">26</a> Motion for Extension of Time to File Response re <a href="#">25</a> MOTION for Summary Judgment, Response due by 5/3/2006. Signed by Judge Lee R. West on 4/26/06. (brs, ) (Entered: 04/26/2006)</p>
05/01/2006	<a href="#">28</a>	<p>RESPONSE to Motion re <a href="#">25</a> MOTION for Summary Judgment filed by Action Inc, Action Inc. (Attachments: # <a href="#">1</a> Affidavit Affidavit of Donny Cook# <a href="#">2</a> Receipt Affidavit of Alan Wright# <a href="#">3</a> Attachment Action's Answers to EEOC's Interrogatories)(Gatewood, Evan) (Entered: 05/01/2006)</p>
05/15/2006	<a href="#">29</a>	<p>ORDER granting <a href="#">25</a> Plaintiff's Motion for Partial Summary Judgment . Signed by Judge Lee R. West on 5/15/06. (brs, ) (Entered: 05/15/2006)</p>
05/16/2006	<a href="#">30</a>	<p>NOTICE of Change of Address by Michelle M Robertson (Robertson, Michelle) (Entered: 05/16/2006)</p>
05/31/2006	<a href="#">31</a>	<p>ADR REPORT BY MEDIATOR / EVALUATOR (Barghols, Steven) (Entered: 05/31/2006)</p>
06/19/2006	<a href="#">32</a>	<p>MOTION for Order <i>to Enter Consent Decree</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1-Consent Decree with attached Notice)(Robertson, Michelle) (Entered: 06/19/2006)</p>
06/20/2006	<a href="#">33</a>	<p>CONSENT DECREE ORDER re <a href="#">32</a>. Signed by Judge Lee R. West on 6/20/06. (brs, ) (Entered: 06/20/2006)</p>

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
06/25/2007 14:06:52			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:05-cv-00749-W Start date: 1/1/1970 End date: 6/25/2007
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24