

87BG, CLOSED, MTNDDL, \_SR

**U.S. District Court**  
**Western District of Oklahoma[LIVE] (Oklahoma City)**  
**CIVIL DOCKET FOR CASE #: 5:00-cv-00751-R**

EEOC v. Eagle USA Airfreight  
Assigned to: Honorable David L. Russell  
Referred to: Mediator  
Demand: \$0  
Member case: ([View Member Case](#))  
Case in other court: 01-06193  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 04/17/2000  
Date Terminated: 03/30/2001  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Holly Waldron Cole**  
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V.

**Defendant**

**Eagle USA Airfreight Inc**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/17/2000	1	COMPLAINT (eh) (Entered: 04/18/2000)
04/17/2000	2	PRAECIPE for and issued 1 summons by plaintiff EEOC (brs) (Entered: 04/24/2000)
04/17/2000	3	ATTORNEY APPEARANCE for plaintiff EEOC by Holly Waldron (brs) (Entered: 04/24/2000)
04/24/2000	4	RETURN OF SERVICE executed upon defendant Eagle USA Airfreight on 4/18/00 by Cert Mail (brs) (Entered: 04/27/2000)
05/10/2000	5	ATTORNEY APPEARANCE for defendant Eagle USA Airfreight by Nancy L Patterson (brs) (Entered: 05/11/2000)
05/10/2000	6	AFFIRMATIVE DEFENSES AND ORIGINAL ANSWER by defendant Eagle USA Airfreight (brs) (Entered: 05/11/2000)
05/15/2000	7	MOTION by plaintiff EEOC to strike Dft's answer and defense counsel's entry of appearance and brief in support (brs) (Entered: 05/16/2000)
05/22/2000	8	RESPONSE by defendant Eagle USA Airfreight to Plf's motion to strike Dft's answer and defense counsel's entry of appearance and brief in support [7-1] (brs) (Entered: 05/23/2000)
05/22/2000	9	MOTION by defendant Eagle USA Airfreight for attorney to appear pro hac vice. Receipt for money received from Littler, Mendelson in the amount of \$ 25.00 receipt # 076997 (brs) (Entered: 05/23/2000)
05/23/2000	<a href="#">10</a>	ORDER by Honorable David L. Russell granting motion for attorney Nancy L. Patterson to appear pro hac vice re [9-1] (cc: all counsel) [EOD Date 5/23/00] (brs) (Entered: 05/23/2000)
05/23/2000	<a href="#">11</a>	ORDER by Honorable David L. Russell denying Plf's motion to strike Dft's answer and defense counsel's entry of appearance and brief in support [7-1] (cc: all counsel) [EOD Date 5/23/00] (brs) (Entered: 05/23/2000)
05/26/2000		DOCKET STATUS/SCHEDULING CONF ; status scheduling conf set for 1:30 7/6/00 (brs) (Entered: 05/26/2000)
06/07/2000	12	ATTORNEY APPEARANCE for plaintiff EEOC by Michelle M Robertson (brs) (Entered: 06/09/2000)
06/30/2000	13	JOINT STATUS REPORT by plaintiff EEOC, defendant Eagle USA Airfreight (brs) (Entered: 07/03/2000)
07/06/2000	14	MOTION by defendant Eagle USA Airfreight for attorney Edward W Allred to appear pro hac vice. Receipt for money received from Edward W Allred in the amount of \$ 27.00 receipt # 077917 (brs) (Entered: 07/06/2000)
07/06/2000	<a href="#">16</a>	SCHEDULING ORDER Honorable David L. Russell ; jury trial set for 3/12/01 ; Discovery set for 2/15/01 ;mtn filing ddl set for 1/1/01 ; pretrial report due 3/1/01 ; status scheduling conference held on 1:30 7/6/00 pla's wit lst due: 1/1/01 pla's

		exh lst due: 1/1/01 dft's wit lst due: 1/1/01 dft's exh lst due: 1/1/01 mtns in limine due: 3/1/01 jury instr due: 3/1/01 voir dire requests due: 3/1/01 trial briefs due : 3/1/01 ADR Session Held by Date: 12/1/00 referral to ADR referring matter to Mediator Selection Order Due 8/1/00 (cc: all counsel) (brs) (Entered: 07/10/2000)
07/10/2000	<a href="#">15</a>	ORDER by Honorable David L. Russell granting motion for attorney Edward W Allred to appear pro hac vice. re [14-1] (cc: all counsel) [EOD Date 7/10/00] (brs) (Entered: 07/10/2000)
08/01/2000	<a href="#">17</a>	ORDER referral to ADR referring matter to Mediator Selection Order Due Between 10 and 12/ 00 (cc: all counsel) [EOD Date 8/3/00] (cjs) (Entered: 08/03/2000)
09/29/2000	<a href="#">18</a>	SCHEDULING ORDER Honorable David L. Russell ; jury trial set for 3/12/01 ; Discovery set for 2/15/01 ;mtn filing ddl set for 1/1/01 ; pretrial report due 3/1/01 pla's wit lst due: 1/1/01 pla's exh lst due: 1/1/01 dft's wit lst due: 1/1/01 dft's exh lst due: 1/1/01 mtns in limine due: 3/1/01 jury instr due: 3/1/01 voir dire requests due: 3/1/01 trial briefs due : 3/1/01 consolidating cases CIV-00-787-R with CIV-00-751-R (cc: all counsel) (brs) (Entered: 10/02/2000)
11/08/2000	19	JOINT APPLICATION by plaintiff EEOC, defendant Eagle USA Airfreight to extend Mediation deadline (brs) (Entered: 11/09/2000)
11/09/2000	<a href="#">20</a>	ORDER by Honorable David L. Russell granting motion to extend Mediation deadline to 1/15/01 [19-1] (cc: all counsel) [EOD Date 11/9/00] (brs) (Entered: 11/09/2000)
12/27/2000	21	JOINT APPLICATION/MOTION by plaintiff EEOC, defendant Eagle USA Airfreight to extend dispositive mtn and evidence designation deadlines (cjs) (Entered: 12/27/2000)
12/29/2000	<a href="#">22</a>	ORDER by Honorable David L. Russell granting motion to extend dispositive mtn and evidence designation deadlines [21-1] ; Motion Filing ddl 1/15/01; Plf to submit final list of wit in chief, including expert wit by 1/15/01; Plf to submit to Dft a final exhlst and any exhibits not previously submitted by 1/15/01; Plf to submit final list of expert wit & chief and expert rpts by 1/15/01; Dft to submit to Plf a final list of expert wit & chief & expert rpts by 1/25/01; Dft to submit a final witlst by 1/25/01; and Dft to submit a final exhlst by 1/25/02 It Is Ordered that the above dispositive and designation deadlines shl be ext fm the Ct's original Scheduling Order to the dates shown above (cc: all counsel) [EOD Date 12/29/00] (fp) (Entered: 12/29/2000)
01/16/2001	23	MOTION by plaintiff EEOC for partial summary judgment and brief in support (brs) (Entered: 01/17/2001)
01/16/2001	24	WITNESS list submitted by plaintiff EEOC (brs) (Entered: 01/17/2001)
01/16/2001	24	EXHIBIT list by plaintiff EEOC (brs) (Entered: 01/17/2001)
01/16/2001	25	WITNESS list submitted by plaintiff EEOC (brs) (Entered: 01/18/2001)
01/16/2001	25	EXHIBIT list by plaintiff EEOC (brs) (Entered: 01/18/2001)
01/25/2001	26	WITNESS list submitted by defendant Eagle USA Airfreight (brs) (Entered: 01/26/2001)

01/25/2001	26	EXHIBIT list by defendant Eagle USA Airfreight (brs) (Entered: 01/26/2001)
01/29/2001		DOCKET CIVIL JURY TRIAL ; jury trial set for 9:30 3/12/01 (brs) (Entered: 01/29/2001)
01/30/2001	27	MOTION by defendant Eagle USA Airfreight for attorney Stacey S Calvert to appear pro hac vice. Receipt for money received from Littler, Mendelson in the amount of \$ 25.00 receipt # 081722 (brs) (Entered: 01/31/2001)
01/30/2001	28	MOTION by defendant Eagle USA Airfreight for attorney Foster Reese III to appear pro hac vice. Receipt for money received from Littler, Mendelson in the amount of \$ 25.00 receipt # 081721 (brs) (Entered: 01/31/2001)
01/30/2001	29	MOTION by defendant Eagle USA Airfreight for leave to file 1st Amended Answers and brief in support (brs) (Entered: 01/31/2001)
01/31/2001	<a href="#">30</a>	ORDER by Honorable David L. Russell granting motion for attorney Stacey S Calvert to appear pro hac vice re [27-1] (cc: all counsel) [EOD Date 1/31/01] (brs) Modified on 01/31/2001 (Entered: 01/31/2001)
01/31/2001	<a href="#">31</a>	ORDER by Honorable David L. Russell granting motion for attorney Foster Reese III to appear pro hac vice re [28-1] (cc: all counsel) [EOD Date 1/31/01] (brs) Modified on 01/31/2001 (Entered: 01/31/2001)
02/05/2001	<a href="#">32</a>	ORDER by Honorable David L. Russell ; Settlement conf set for 10:00 a.m. on 2/20/01 before Magistrate Judge Gary Purcell (cc: all counsel) [EOD Date 2/5/01] (brs) (Entered: 02/05/2001)
02/05/2001	33	RESPONSE by defendant Eagle USA Airfreight to motion for partial summary judgment [23-1] (brs) (Entered: 02/05/2001)
02/08/2001	34	UNOPPOSED APPLICATION by defendant Eagle USA Airfreight for trial on a date certain (brs) (Entered: 02/08/2001)
02/09/2001	<a href="#">35</a>	ORDER by Honorable David L. Russell granting motion for trial on a date certain [34-1] This matter will be called to trial either the week of 3/12-16/01, or the week of 3/26-30/01 (cc: all counsel) [EOD Date 2/9/01] (brs) (Entered: 02/09/2001)
02/09/2001	36	RESPONSE by plaintiff EEOC to Dft's motion for leave to file 1st Amended Answers [29-1] (brs) (Entered: 02/12/2001)
02/13/2001	<a href="#">37</a>	ORDER by Honorable David L. Russell granting motion for leave to file 1st Amended Answers [29-1]. Dft is directed to file those amended pleadings w/in 5 days of the date of this Order. (cc: all counsel) [EOD Date 2/13/01] (brs) (Entered: 02/13/2001)
02/13/2001	<a href="#">38</a>	ORDER by Honorable David L. Russell denying Plf's motion for partial summary judgment [23-1] (cc: all counsel) [EOD Date 2/13/01] (brs) (Entered: 02/13/2001)
02/14/2001	39	MOTION by defendants for protective order and objections to Plf's notice to take deposition of James Crane and brief in support (brs) (Entered: 02/14/2001)
02/20/2001	40	ORDER by Magistrate Judge Gary M. Purcell ; Settlement conf was held as scheduled. The case did not settle. (cc: all counsel) [EOD Date 2/21/01] (brs) (Entered: 02/21/2001)

02/20/2001	41	AMENDMENT by defendant Eagle USA Airfreight to witness and exhibit lists re [26-1] (brs) (Entered: 02/21/2001)
02/20/2001	42	AMENDED ANSWER [6-1] by defendant Eagle USA Airfreight (brs) (Entered: 02/21/2001)
03/01/2001	43	MOTION by plaintiff EEOC in limine (brs) (Entered: 03/02/2001)
03/01/2001	44	PROPOSED JURY INSTRUCTIONS submitted by plaintiff EEOC (brs) (Entered: 03/02/2001)
03/01/2001	45	Proposed VOIR DIRE submitted by plaintiff EEOC (brs) (Entered: 03/02/2001)
03/01/2001	46	FINAL PRE-TRIAL REPORT (brs) (Entered: 03/02/2001)
03/01/2001	47	Proposed VOIR DIRE submitted by plaintiff EEOC (brs) (Entered: 03/02/2001)
03/01/2001	48	MOTION by plaintiff Jimmie L. Lewis in limine and brief in support (brs) (Entered: 03/02/2001)
03/01/2001	49	JURY INSTRUCTIONS submitted by plaintiff Jimmie L Lewis (brs) (Entered: 03/02/2001)
03/01/2001	50	REQUESTED VOIR DIRE submitted by defendant (brs) (Entered: 03/02/2001)
03/01/2001	51	PROPOSED JURY INSTRUCTIONS submitted by defendant (brs) (Entered: 03/02/2001)
03/01/2001	52	MOTION by defendant in limine and brief in support (brs) (Entered: 03/02/2001)
03/01/2001	54	TRIAL brief submitted by plaintiff EEOC (brs) (Entered: 03/05/2001)
03/05/2001	<a href="#">53</a>	ORDER by Honorable David L. Russell approving the Final Pretrial Report re [46-1] (cc: all counsel) [EOD Date 3/5/01] (brs) (Entered: 03/05/2001)
03/05/2001	<a href="#">55</a>	ORDER by Honorable David L. Russell striking Plf Lewis' trial brief [54-1]. The document was unsigned [Rule 11, FRCP] (cc: all counsel) [EOD Date 3/5/01] (brs) (Entered: 03/05/2001)
03/05/2001	57	RESPONSE by Plf Lewis to motion for protective order and objections to Plf's notice to take deposition of James Crane [39-1] (brs) (Entered: 03/07/2001)
03/07/2001	56	TRIAL brief submitted by Plf Jimmie L. Lewis (brs) (Entered: 03/07/2001)
03/08/2001	58	JOINT APPLICATION by plaintiff EEOC, defendant Eagle USA Airfreight for leave to file amended pretrial report (brs) (Entered: 03/12/2001)
03/08/2001	59	RESPONSE by plaintiff EEOC to Dft's motion in limine [52-1] (brs) (Entered: 03/12/2001)
03/08/2001	60	RESPONSE by plaintiff EEOC to Dft's motion in limine [52-1] (brs) (Entered: 03/12/2001)
03/08/2001	61	OBJECTIONS by defendant Eagle USA Airfreight to Plf's proposed jury instructions re [49-1] (brs) (Entered: 03/12/2001)
03/08/2001	62	OBJECTIONS by defendant Eagle USA Airfreight to Plf's proposed voir dire [45-1] (brs) (Entered: 03/12/2001)

03/12/2001	<a href="#">63</a>	ORDER by Honorable David L. Russell granting motion for leave to file amended pretrial report [58-1] (cc: all counsel) [EOD Date 3/12/01] (brs) (Entered: 03/12/2001)
03/12/2001	64	OBJECTIONS by defendant Eagle USA Airfreight to dft Lewis's motion in limine [48-1] (cjs) (Entered: 03/13/2001)
03/12/2001	65	OBJECTIONS by defendant Eagle USA Airfreight to dft Lewis's jury [49-1] (cjs) (Entered: 03/13/2001)
03/12/2001	66	OBJECTIONS by defendant Eagle USA Airfreight to voir dire [47-1] (cjs) (Entered: 03/13/2001)
03/12/2001	67	COURTROOM MINUTES: Jury Trial begins. Parties announce ready. Jury duly empaneled and admonished. Ct adjourns to 9:30 a.m. on 3/26/01 (brs) (Entered: 03/13/2001)
03/13/2001	68	AMENDED FINAL PRE-TRIAL REPORT (brs) (Entered: 03/14/2001)
03/14/2001	69	ORDER by Honorable David L. Russell adopting amended final pre-trial report re [68-1] (cc: all counsel) [EOD Date 3/14/01] (brs) (Entered: 03/14/2001)
03/15/2001	70	MOTION by plaintiff EEOC and Jimmie Lewis to shorten Dft's response time and for an expedited ruling on Plf's Mtn to compel (brs) (Entered: 03/16/2001)
03/15/2001	71	MOTION by plaintiff EEOC and Jimmie Lewis to compel discovery (brs) (Entered: 03/16/2001)
03/16/2001	72	ORDER by Honorable David L. Russell granting motion to shorten Dft's response time and for an expedited ruling on Plf's Mtn to compel to 3/20/01 re [70-1] (cc: all counsel) [EOD Date 3/16/01] (brs) (Entered: 03/16/2001)
03/19/2001	73	DESIGNATION OF DEPO OF TOM TERRY/NOTICE by defendant Eagle USA Airfreight (cjs) (Entered: 03/20/2001)
03/19/2001	74	DESIGNATION OF DEPO OF SAM SLATER/NOTICE by defendant Eagle USA Airfreight (cjs) (Entered: 03/20/2001)
03/20/2001	75	SECOND MOTION and Brief in support by defendant Eagle USA Airfreight for protective order (cjs) (Entered: 03/20/2001)
03/20/2001	75	RESPONSE by defendant Eagle USA Airfreight to motion to compel discovery [71-1] (cjs) (Entered: 03/20/2001)
03/20/2001	76	ORDER by Honorable David L. Russell re [75-1], re [71-1] pla's have filed mtn to compel and dft has responded with a second mtn for protective order re depo of Mr James Crane. Depo will be limited to three hours in length. Dft shall only interpose obj appropriate under Fed.R.Civ.Pro. 30(d) and shall not attempt to coach the wit in the course of the depo nor act as arbiter on what is a relevant line of questioning. MORE FULLY SET OUT IN ORDER (cc: all counsel) [EOD Date 3/20/01] (cjs) (Entered: 03/20/2001)
03/21/2001	77	ATTORNEY APPEARANCE for plaintiff EEOC by Toby W Costas (brs) (Entered: 03/22/2001)

03/21/2001	78	NOTICE by plaintiff EEOC of deposition transcript designations (brs) (Entered: 03/22/2001)
03/26/2001	79	NOTICE by plaintiff EEOC of deposition designations of James R. Crane (brs) (Entered: 03/26/2001)
03/26/2001	81	COURTROOM MINUTES: Jury Trial. Rule invoked on Mtn of Plf & Dft. Plf & Dft make opening stmt. Plf presents cs in chief w/testimony of witnesses. Plf's exhibits admitted. Dft's exhibits admitted. Ct adjourns to 3/27/01 at 9:00 a.m. Ollie Myers was selected on 3/12/01 but excused on 3/15/01 due to a death in the family. (brs) (Entered: 03/28/2001)
03/27/2001	80	AMENDED DEPOSITION DESIGNATIONS by plaintiff EEOC to notice [79-1] (cjs) (Entered: 03/28/2001)
03/27/2001	82	COURTROOM MINUTES: Further Jury Trial; Plf continues cs in chief w/testimony of witnesses. Plf's exhibits admitted. Plf rests. Dft's Mtn for D.V. Denied; Dft presents cs in chief w/testimony of witnesses. Ct adjourns to 3/28/01 at 9:15 a.m. (brs) (Entered: 03/28/2001)
03/28/2001	83	OBJECTIONS by plaintiff EEOC to proposed jury instructions [51-1] (brs) (Entered: 03/29/2001)
03/28/2001	84	COURTROOM MINUTES: Further Jury Trial; Dft's exhibits admitted. Dft continues cs in chief w/testimony of witnesses. Dft rests. Plf presents rebuttal evidence w/testimony of witnesses and rests. Parties rest. Dft renews mtn for D.V and is denied. Closing arguments. Ct instructs the jury. Bailiff sworn. Jury retires to deliberate. Ct adjourns to 9:00 a.m. on 3/29/01 to continue deliberation. (brs) (Entered: 03/30/2001)
03/29/2001	85	COURTROOM MINUTES: Further Jury Deliberations. Jury continues to deliberate. Jury returns with verdict in favor of Dft. Jury is polled. Jury is discharged. All exhibits were w/drawn. (brs) (Entered: 03/30/2001)
03/29/2001	86	JURY INSTRUCTIONS (brs) (Entered: 03/30/2001)
03/29/2001	87	VERDICT for defendant Eagle USA Airfreight against plaintiff EEOC (brs) (Entered: 03/30/2001)
03/29/2001	88	COURT EXHIBIT - notes fm Jury to Judge (brs) (Entered: 03/30/2001)
03/30/2001	89	JUDGMENT: by Honorable David L. Russell that the jury finds in favor of the Dft on all claims (cc: all counsel) (brs) (Entered: 03/30/2001)
04/13/2001	90	MOTION by defendant Eagle USA Airfreight to extend time to file mtn for atty fee and mtn for costs (cjs) (Entered: 04/16/2001)
04/17/2001	<a href="#">91</a>	ORDER by Honorable David L. Russell granting Dft's motion to extend time to file mtn for atty fee and mtn for costs to 4/18/01 re [90-1] (cc: all counsel) [EOD Date 4/17/01] (brs) (Entered: 04/17/2001)
05/25/2001	92	NOTICE OF APPEAL by plaintiff EEOC from Dist. Court decision transcript order set for 6/9/01 [89-1], (dl) (Entered: 05/30/2001)
05/30/2001	93	CLERK'S LETTER re: service of Notice of Appeal, with copy of letter, Notice of Appeal and docket sheet as preliminary record mailed to CCA and counsel (dl)



		(Entered: 05/30/2001)
05/31/2001	94	AMENDMENT by plaintiff EEOC to appeal [92-1] to include order of March 30th, which was already included in original appeal. (FE) (Entered: 05/31/2001)
06/05/2001	95	APPELLATE Docket Number 01-6193 (dl) (Entered: 06/05/2001)
08/01/2001	96	MANDATE from Circuit Court of Appeals dismissing the appeal [92-1] ( , ) transcript order satisfied 8/1/01 (FE) (Entered: 08/01/2001)

## PACER Service Center

### Transaction Receipt

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:00-cv-00751-R Start date: 1/1/1970 End date: 8/22/2007
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40