

51RA/J, TERMED

U.S. District Court
Western District of Tennessee (Memphis)
CIVIL DOCKET FOR CASE #: 2:99-cv-02835-jsg

EEOC v. Dillard's, Inc.
Assigned to: Julia S. Gibbons
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/22/1999
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Miscellaneous

J. Daniel Breen
TERMINATED: 04/21/2001

represented by **J. Daniel Breen**
U.S. District Judge
167 N. Main St.
Memphis, TN 38103
PRO SE

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Deidre Smith**
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1407 Union Avenue
Ste. 621
Memphis, TN 38104
901-544-0140
Fax: 901-544-0111
Email: deidre.smith@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Faye A. Williams
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1407 Union Avenue
Ste. 621
Memphis, TN 38104
901-544-0088
Email: faye.williams@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katharine W. Kores
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1407 Union Avenue
Ste. 621
Memphis, TN 38104

901-544-0151
Email: katharine.kores@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Terry L. Beck
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1407 Union Avenue
Ste. 621
Memphis, TN 38104
901-544-0138
Fax: 901-544-0111
Email: terry.beck@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Dillard's, Inc.

represented by **Frederick J. Lewis**
LEWIS FISHER HENDERSON &
CLAXTON, LLP
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119
901-767-6160
Fax: 901-767-7411
Email: fredl@lfhc.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Kellam Warren
WYRICK ROBBINS YATES AND
PONTON, LLC
4101 Lake Boone Trail
Ste. 300
Raleigh, NC 27607
919-781-4000
Fax: 919-781-4865
Email: kwarren@wyrick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nicole Marie Walthour
INTERNATIONAL PAPER CO
6400 Poplar Ave.
Memphis, TN 38197
901-419-3850
Email: nicole.walthour@ipaper.com

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Thomas L. Henderson
LEWIS FISHER HENDERSON &
CLAXTON, LLP
6410 Poplar Ave.
Ste. 300
Memphis, TN 38119
901-767-6160
Fax: 901-767-7411
Email: thomash@lfhc.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/22/1999	1	COMPLAINT (jury trial demanded) [..Title VII of the Civil Rights Act of 1965 ("Title VII"), as amended, 42 USC 2000e et seq., to correct unlawful employment practices based on retaliation for opposing employment practices made illegal by Title VII, and to make whole Mary E. Anderson, Black female, who was terminated for complaining about racial discrimination by her supervisor] (EHG) (Entered: 09/23/1999)
10/12/1999	2	WAIVER OF SERVICE OF SUMMONS.. by defendant Dillard's, Inc. ..signed by Frederick J. Lewis, attorney on 10/8/99 (EHG) (Entered: 10/13/1999)
10/20/1999	3	WAIVER OF SERVICE OF SUMMONS by defendant Dillard's, Inc. ..signed by Frederick J. Lewis, attorney, 10/8/99 (EHG) (Entered: 10/20/1999)
11/23/1999	4	ANSWER and Affirmative Defenses by defendant Dillard's, Inc. to [1-1] (BAG) (Entered: 11/24/1999)
12/13/1999	5	SETTING LETTER ; scheduling conference set for 9:00 1/18/00 (BAG) (Entered: 12/13/1999)
01/14/2000	6	Report of Parties' RULE 26(f) Planning Meeting by EEOC, Dillard's, Inc. (BAG) (Entered: 01/18/2000)
01/18/2000	7	SCHEDULING ORDER 16(b) Judge Bernice B. Donald; following dates established as final dates for: deadline for joining parties set for 3/15/00; deadline for amending pleadings set for 3/15/00; discovery deadline set for 7/19/00; motion filing deadline set for 8/18/00; Joint pretrial order to be entered on 10/16/00; jury trial set for 11/28/00; pretrial conference set for 10/26/00; ... scheduling dates set by this will not be modified or extended; (cc: all counsel) (BAG) (Entered: 01/19/2000)
01/18/2000	8	MINUTES: scheduling conference held 1/18/00; No jurisdictional challenges; No agreement on referral to Mag Judge for trial; Some settlement discussions held; Scheduling Order submitted; Jury trial set 11/28/00, est. 2-3 days; Pretrial Conf. set 10/26/00; Presiding Judge: Bernice B. Donald; PLA Atty: Faye Williams;

		DFT Atty: Nicole Walthour; C/R: None present; (BAG) (Entered: 01/25/2000)
03/03/2000	9	RETURN OF SERVICE (subpoena) executed upon defendant (Marcus Bryant) Dillard's, Inc. on 3/3/00 (BAG) (Entered: 03/06/2000)
03/03/2000	10	RETURN OF SERVICE (subpoena) executed upon defendant (Dorothy Holt) Dillard's, Inc. on 3/3/00 (BAG) (Entered: 03/06/2000)
03/03/2000	11	RETURN OF SERVICE (subpeona) executed upon defendant (Chris Warner) Dillard's, Inc. on 3/3/00 (BAG) (Entered: 03/06/2000)
03/03/2000	12	RETURN OF SERVICE (subpoena) executed upon defendant (Reggie Clements) Dillard's, Inc. on 3/2/00 (BAG) (Entered: 03/06/2000)
03/03/2000	13	RETURN OF SERVICE (subpoena) executed upon defendant (Shirley Conrad) Dillard's, Inc. on 3/2/00 (BAG) (Entered: 03/06/2000)
03/07/2000	14	RETURN OF SERVICE (subpoena) executed upon Clyde Brown c/o Sheriff's Dept. on 3/3/00 (BAG) (Entered: 03/08/2000)
03/07/2000	15	RETURN OF SERVICE (subpoena) executed upon Monica Monger on 3/6/00 (BAG) (Entered: 03/08/2000)
03/07/2000	16	RETURN OF SERVICE (subpoena) executed upon Virginia Modlin on 3/6/00 (BAG) (Entered: 03/08/2000)
03/08/2000	17	SETTING LETTER: jury trial set for 11/28/00 at 9:30: pretrial conference set for 10/26/00 at 2:00: pretrial order deadline set for 10/16/00; (BAG) (Entered: 03/08/2000)
03/08/2000	18	Notice by Clerk: case reassigned to Judge Gibbons for purpose of handling motions filed while matter pending and conducting hearings as required; Pleadings filed should include case number as cited above (TU-G) (cc: all counsel) (BAG) (Entered: 03/09/2000)
03/10/2000	19	RETURN OF SERVICE (subpoena/deposition) executed upon Officer Godfrey Howard on 3/9/00 (BAG) (Entered: 03/13/2000)
03/14/2000	20	ORDER by Mag Judge J. D. Breen; The depositions scheduled for 3/13/00, through 3/15/00, are continued to 4/5/00, through 4/7/00; Upon oral motion of pla, all subpoenas issued for witnesses shall remain in effect and witnesses shall appear for depositions at same time as previously ordered on following dates: (4/5/00) Clyde Brown- 8:30, Godfrey Howard- 9:30, Shirley Conrad- 10:30, Monica Monger -1:00pm, Dorothy Holt- 2:00pm & Marcus Bryant- 3:00pm; (4/6/00) Virginia Modlin- 9:00, Reggie Clements- 2:00pm; (4/7/00) Chris Warner- 9:00am; (cc: all counsel) (BAG) (Entered: 03/14/2000)
03/29/2000	21	MOTION by plaintiff EEOC for protective order (seeking an order from the Court directing that dft's proposed FRCP 30 (b)(6) deposition of EEOC "not be had") (BAG) (Entered: 03/30/2000)
03/29/2000	22	MEMORANDUM by plaintiff EEOC in support of motion for protective order [21-1]; w/exhibits (BAG) (Entered: 03/30/2000)
03/29/2000	23	CERTIFICATE of Consultation by plaintiff EEOC re [21-1] (BAG) (Entered: 03/30/2000)

03/29/2000	24	AFFIDAVIT of Counsel (Faye Williams) re [21-1] (BAG) (Entered: 03/30/2000)
03/31/2000	25	ORDER Of Reference by Chief Judge Julia S. Gibbons referring to Mag Judge J. D. Breen the motion for protective order [21-1]; Any exceptions to mag judge's order shall be made by motion w/in 10 days after being served with a copy of the order setting forth portions excepted to and reasons for exceptions; (cc: all counsel) (BAG) (Entered: 04/03/2000)
03/31/2000	26	MOTION by plaintiff EEOC for leave to modify subpoena (issued by dft for Mary Anderson's deposition...) (BAG) (Entered: 04/03/2000)
03/31/2000	27	MEMORANDUM by plaintiff EEOC in support of motion for leave to modify subpoena [26-1]; w/attachments (BAG) (Entered: 04/03/2000)
03/31/2000	28	CERTIFICATE Of Consultation by plaintiff EEOC re [26-1] (BAG) (Entered: 04/03/2000)
03/31/2000	29	ORDER Staying Deposition Of Plaintiff's Rule 30(b)(6) Representative by Mag Judge J. D. Breen granting motion for protective order (seeking an order from the Court directing that dft's proposed FRCP 30 (b)(6) deposition of EEOC "not be had") [21-1]; ... the court will stay the Rule 30(b)(6) deposition pending the response filed by Dillard's; If dft submits a response in a shorter period of time than allowed by the Local Rules, then the court will proceed to issue a ruling on this motion; ... the Rule 30(b)(6) deposition sought by the dft is stayed until resolution of pending motion before the court; All other depositions that dft has noticed or sought may proceed in accordance with agreement of counsel or notices, whichever applies; (cc: all counsel) (BAG) (Entered: 04/03/2000)
04/03/2000	30	MOTION by plaintiff EEOC to compel (for an order compelling dft to provide full and complete responses to pla's First set of Interrogatories...) (BAG) (Entered: 04/03/2000)
04/03/2000	31	MEMORANDUM by plaintiff EEOC in support of motion to compel [30-1]; (w/exhibits) (BAG) (Entered: 04/03/2000)
04/03/2000	32	CERTIFICATE of Consultation by plaintiff EEOC re [30-1] (BAG) (Entered: 04/03/2000)
04/04/2000	33	ORDER Of Reference by Chief Judge Julia S. Gibbons referring to Mag Judge J. D. Breen the motion to compel [30-1]; Any exceptions to mag judge's order shall be made by motion w/in 10 days after being served with a copy of the order setting forth portions excepted to and reasons for exceptions; (cc: all counsel) (BAG) (Entered: 04/04/2000)
04/05/2000	34	ORDER Of Reference by Chief Judge Julia S. Gibbons referring to Mag Judge J. D. Breen the motion for leave to modify subpoena [26-1]; Any exceptions to mag judge's order shall be made by motion w/in 10 days after being served with a copy of the order setting forth portions excepted to and reasons for exceptions; (cc: all counsel) (BAG) (Entered: 04/05/2000)
04/17/2000	35	SETTING LETTER: jury trial set for 11/27/00 at 9:30: pretrial conference set for 11/17/00 at 9:00: pretrial order deadline set for 11/13/00, before Judge Gibbons (resetting) (BAG) (Entered: 04/18/2000)

04/17/2000	36	RESPONSE to plaintiff's motion for Protective Order by defendant Dillard's, Inc. to [21-1]; w/exhibits (BAG) (Entered: 04/18/2000)
04/17/2000	37	OBJECTIONS by defendant Dillard's, Inc. to plaintiff's motion to modify subpoena [26-1] (BAG) (Entered: 04/18/2000)
04/17/2000	38	DECLARATION of Frederick J. Lewis by defendant Dillard's, Inc. in support of defendant's objections to plaintiff's motion to modify subpoena re [37-1] (BAG) (Entered: 04/18/2000)
04/17/2000	39	DECLARATION of Nicole Marie Walthour by defendant Dillard's, Inc. in support of defendant's objections to plaintiff's motion to modify subpoena re [37-1]; w/attachments; (document placed in separate folder) (BAG) (Entered: 04/18/2000)
04/21/2000	40	ORDER Granting Plaintiff's Motion To Modify Subpoena by Mag Judge J. D. Breen granting motion for leave to modify subpoena (issued by dft for Mary Anderson's deposition...) [26-1]; (cc: all counsel) (BAG) (Entered: 04/21/2000)
04/21/2000	41	MOTION by defendant Dillard's, Inc. to enlargement of time (for add'l time w/in which to respond to motion to compel) (BAG) (Entered: 04/24/2000)
04/21/2000	42	MEMORANDUM by defendant Dillard's, Inc. in support of motion to enlargement of time [41-1]; (BAG) (Entered: 04/24/2000)
04/21/2000	43	CERTIFICATE of Consultation by defendant Dillard's, Inc. re [41-1] (BAG) (Entered: 04/24/2000)
04/26/2000	44	ORDER Granting Defendant's Motion For Enlargement Of Time by Mag Judge J. D. Breen granting motion for enlargement of time (for add'l time w/in which to respond motion to compel- until 4/26/00) [41-1]; (cc: all counsel) (BAG) (Entered: 04/26/2000)
04/26/2000	45	RESPONSE/OPPOSITION by defendant Dillard's, Inc. to pla's motion to compel [30-1]; w/exhibits; (BAG) (Entered: 04/27/2000)
05/01/2000	46	ORDER On Plaintiff's Motion For Protective Order by Mag Judge J. D. Breen granting motion for protective order [21-1]; Upon review of pleadings, the court is in agreement with both parties that the deposition of EEOC's atty is not warranted or necessary; To that extent, pla's motion for protective order is granted; Dillards is not precluded from inquiry into pla's contention; EEOC may designate a person other than counsel who may be prepared to answer on its behalf...; Pla's request for atty's fees and expenses in connection with the filing of this motion is denied; (cc: all counsel) (BAG) (Entered: 05/01/2000)
05/02/2000	47	REQUEST by defendant Dillard's, Inc. for oral argument on plaintiff's motion to compel; (BAG) (Entered: 05/03/2000)
05/08/2000	48	SETTING LETTER: hearing on motion to compel set for 5/17/00 at 10:30, before Mag Judge Breen in room 914; (BAG) (Entered: 05/08/2000)
05/08/2000	49	REQUEST for Court Reporter to cover motion hearing in room 914 at 10:30, before Mag Judge Breen; (BAG) (Entered: 05/08/2000)

05/09/2000	50	ORDER Granting Defendant's Request For Oral Argument On Plaintiff's Motion To Compel by Mag Judge J. D. Breen granting request [47-1]; Hearing on motion to compel set for 5/17/00 at 10:30am (cc: all counsel) (BAG) (Entered: 05/09/2000)
05/10/2000	51	ATTORNEY APPEARANCE for defendant Dillard's, Inc. by Thomas L. Henderson (BAG) (Entered: 05/11/2000)
05/17/2000	52	MINUTES: Motion hearing held 5/17/00 on motion to compel discovery re [30-1]; Request for production #3- dft will produce w/protective order- dft to prepare protective order; Requests #4,5,14,16- dft believes it has produced all available info; #5 to be supplemented to identify positions & last known work address; #16 info may be downloaded; #19 dft has produced all available info- same with #'s 22,23 & 28-30; Interrogatory #3 denied; Interrogatory #7, Req. 16,17 have been disposed of; Req. #4- dfts have provided; Req. #6 granted; req. #13 allowed as to discipline of 3 requested employees #14 has been produced as well as 16 & 17; #18 denied at this time; #20- response to be supplemented; Req. #27 denied w/o prejudice; #28,29-; Pla to submit afdt of costs w/in 7 days, dft to file response; Atty for pla will prepare order regarding today's matters; Presiding Judge: Breen; PLA Atty: Faye Williams; DFT Atty: T. Henderson/N. Walthour; C/R: Husak; (BAG) (Entered: 05/17/2000)
05/18/2000	53	SETTING LETTER : Settlement Conference set for 9:30 5/25/00, Rm 914 (YDS) (Entered: 05/19/2000)
05/26/2000	54	AFFIDAVIT of (Faye A. Williams) in support of Request for attorney fees; (BAG) (Entered: 05/26/2000)
06/06/2000	55	MOTION by defendant Dillard's, Inc. for extension of time to respond to the Attorneys' Fee Affidavit filed by EEOC (until 6/16/00) (BAG) (Entered: 06/08/2000)
06/06/2000	56	CERTIFICATE Of Consultation by defendant Dillard's, Inc. re [55-1] (BAG) (Entered: 06/08/2000)
06/08/2000	57	ORDER Granting Defendant An Extension Of Time To Respond To The Attorneys' Fee Affidavit Filed By The EEOC by Mag Judge J. D. Breen granting motion for extension of time to respond to the Attorneys' Fee Affidavit filed by EEOC (until 6/16/00) [55-1] (cc: all counsel) (BAG) (Entered: 06/08/2000)
06/09/2000	58	Notice by Clerk Case reassigned to Chief Judge Julia S. Gibbons (cc: all counsel) (BAG) (Entered: 06/09/2000)
06/16/2000	59	RESPONSE to plaintiff's affidavit for Attorney's Fees by defendant Dillard's, Inc. to [54-1] (BAG) (Entered: 06/19/2000)
06/21/2000	60	ORDER Denying EEOC's Motion For Sanctions by Mag Judge J. D. Breen; It is ORDERED that the request for sanctions is DENIED; Each party shall bear the costs and fees that it incurred in connection with above reference motion to compel; (cc: all counsel) (BAG) (Entered: 06/21/2000)
07/05/2000	61	RETURN OF SERVICE (subpoena) executed upon Godfrey Howard on 7/5/00; (BAG) (Entered: 07/06/2000)

07/05/2000	62	RETURN OF SERVICE (subpoena) executed upon Reggie Clements on 7/5/00 (BAG) (Entered: 07/06/2000)
07/06/2000	63	RETURN OF SERVICE (subpoena) executed upon Chris Warner on 7/6/00 (BAG) (Entered: 07/07/2000)
07/06/2000	64	RETURN OF SERVICE (subpoena) executed upon Clyde Brown on 7/5/00 (BAG) (Entered: 07/07/2000)
07/10/2000	65	RETURN OF SERVICE (Subpoena) executed upon Marcus Bryant on 7/6/00 (BAG) (Entered: 07/10/2000)
07/11/2000	66	ORDER by Mag Judge J. D. Breen; Upon consideration of the motion to compel re [30-1], parties have reached an agreement on following issues: Request for production No. 3: Dft shall produce personnel file of Virginia Modlin and parties shall file appropriate protective order regarding same; Dft will supplement response to Document Request No. 5: by identifying positions held by managers ... and will provide last knoen business address for each person; Dft shall provide response to Document Request No. 20 in written form; The Court denies motion as to Interrogatory No. 3, Request for Production Nos. 18 and 27; Dft has no add'l documents in its possession... that are responsive to Request for Production Nos. 4,19,22 & 23; With regard to request Nos. 16 & 17 and Interrogatory No. 7, EEOC will download from Internet information pertaining to dft's financial condition; Motion is denied as to these requests; Request for Production No. 6: Dft shall produce documents pertaining to Ms. Modlin from 1996 to present; No. 13: dft shall produce any discipline of Ray Self, Brian Rignery and Doug Humphries; Dft shall comply with the order w/in 7 days of date of entry; (cc: all counsel) (BAG) (Entered: 07/12/2000)
07/11/2000	67	RETURN OF SERVICE executed upon Virginia Modlin on 7/6/00 (BAG) (Entered: 07/12/2000)
07/12/2000	68	MOTION by defendant Dillard's, Inc. to continue trial date (for a period of 75 days) (BAG) (Entered: 07/13/2000)
07/12/2000	69	MEMORANDUM by defendant Dillard's, Inc. in support of motion to continue trial date [68-1] (BAG) (Entered: 07/13/2000)
07/12/2000	70	CERTIFICATE of Consultation by defendant Dillard's, Inc. re [68-1] (BAG) (Entered: 07/13/2000)
07/12/2000	71	DECLARATION Of Reggie Clement by defendant Dillard's, Inc. re [68-1] (BAG) (Entered: 07/13/2000)
07/17/2000	72	MOTION by plaintiff EEOC for reconsideration of Magistrate Judge's July 11, 2000 Order on Plaintiff's Motion to Compel (BAG) (Entered: 07/17/2000)
07/17/2000	73	MEMORANDUM by plaintiff EEOC in support of motion for reconsideration of Magistrate Judge's July 11, 2000 Order on Plaintiff's Motion to Compel [72-1]; w/exhibits (BAG) (Entered: 07/17/2000)
07/17/2000	74	MOTION by plaintiff EEOC for leave to modify scheduling order (BAG) (Entered: 07/17/2000)

07/17/2000	75	CERTIFICATE of Consultation by plaintiff EEOC, re [74-1] (BAG) (Entered: 07/17/2000)
07/25/2000	76	CONSENT PROTECTIVE ORDER by Chief Judge Julia S. Gibbons: It is agreed by parties that this Protective Order shall apply to information and documents produced by pla or dft (producing party), as follows: All information and documents disclosed, produced or furnished by or on behalf of a producing party voluntarily, or pursuant to Court order, that are designated "CONFIDENTIAL" shall be used by receiving party solely in connection with pre-trial proceedings...; With regard to information that was produced before entry of this Consent Protective Order, producing parties shall have 15 days from date of entry of this Order to designate in writing such information as "CONFIDENTIAL"; Each receiving party and counsel shall treat said information and documents as confidential; ... party seeking to use such confidential information or documents shall give the other party 10 working days' notice so that it may petition the Court for the information to be placed under seal; This Order shall not preclude a receiving party from presenting to the Court for determination the issue of whether any information or documents designed "CONFIDENTIAL" by producing party should in fact be considered confidential; (cc: all counsel) (BAG) (Entered: 07/25/2000)
08/01/2000	77	MOTION by defendant Dillard's, Inc. for extension of time to respond to the EEOC's motion for reconsideration of July 11, 2000 Magistrate Judge Order (requesting one week from 8/1/00) (BAG) (Entered: 08/03/2000)
08/01/2000	78	CERTIFICATE of Consultation by defendant Dillard's, Inc. re [77-1] (BAG) (Entered: 08/03/2000)
08/01/2000	79	RESPONSE by defendant Dillard's, Inc. to plaintiff's motion for leave to modify scheduling order [74-1] (BAG) (Entered: 08/03/2000)
08/02/2000	80	ORDER Granting Defendant's Unopposed Motion For Enlargement Of Time To Respond To Plaintiff's Motion For Reconsideration by Chief Judge Julia S. Gibbons granting motion for extension of time to respond to the EEOC's motion for reconsideration of July 11, 2000 Magistrate Judge Order [77-1]; It is ORDERED that dft's motion is granted; The ddl for dft to respond to pla's motion for reconsideration is 8/8/00; (cc: all counsel) (BAG) (Entered: 08/03/2000)
08/03/2000	81	ORDER Continuing Trial Date by Chief Judge Julia S. Gibbons granting motion to continue trial date (for a period of 75 days) [68-1] jury trial set 9:30 2/26/01 (cc: all counsel) (BAG) (Entered: 08/03/2000)
08/03/2000	82	ORDER by Chief Judge Julia S. Gibbons granting motion for leave to modify scheduling order [74-1] discovery ddl set 10/1/00; motion filing ddl set 10/31/00 (cc: all counsel) (BAG) (Entered: 08/03/2000)
08/08/2000	83	RESPONSE by defendant Dillard's, Inc. to motion for reconsideration of Magistrate Judge's July 11, 2000 Order on Plaintiff's Motion to Compel [72-1]; (document placed in a separate folder) (BAG) (Entered: 08/09/2000)
08/10/2000	84	SETTING LETTER: jury trial set for 2/26/01 at 9:30: pretrial conference set for 2/16/01 at 2:15: pretrial order deadline set for 2/9/01; (resetting from 11/27/00) (BAG) (Entered: 08/10/2000)

08/21/2000	85	ATTORNEY APPEARANCE for plaintiff EEOC by Deidre Smith (Terry Beck & Faye Williams will remain as counsel) (BAG) (Entered: 08/22/2000)
09/29/2000	86	MOTION by plaintiff EEOC for reconsideration of Magistrate Judge's September 27, 2000 Oral Ruling , and motion to compel (witness Beverly O'Conner to answer certain questions...) (BAG) (Entered: 10/02/2000)
09/29/2000	87	MEMORANDUM by plaintiff EEOC in support of motion for reconsideration of Magistrate Judge's September 27, 2000 Oral Ruling [86-1], of motion motion to compel [86-2] (BAG) (Entered: 10/02/2000)
09/29/2000	88	CERTIFICATE of Consultation by plaintiff EEOC re [86-1], [86-2] (BAG) (Entered: 10/02/2000)
10/16/2000	89	RESPONSE by defendant Dillard's, Inc. to pla's motion for reconsideration of Magistrate Judge's September 27, 2000 Oral Ruling and Motion to Compel [86-1] (BAG) (Entered: 10/17/2000)
10/23/2000	90	ORDER Affirming Magistrate Judge's September 27, 2000, Oral Ruling by Chief Judge Julia S. Gibbons denying pla's motion for reconsideration of Magistrate Judge's September 27, 2000 Oral Ruling [86-1]; The Mag Judge's ruling is not clearly erroneous or contrary to law and it is affirmed; (cc: all counsel) (BAG) (Entered: 10/24/2000)
10/24/2000	91	ORDER Affirming Magistrate Judge's Oral Rulings Of May 17, 2000, And July 11, 2000, ORDERS by Chief Judge Julia S. Gibbons denying motion for reconsideration of Magistrate Judge's July 11, 2000 Order on Plaintiff's Motion to Compel [72-1]; Pla's motion is untimely since it was not filed w/in 10 days of the ruling which it seeks review or w/in extention of time granted for filing objections; Even if timely, Mag Judge's rulings addressed in the motion are not clearly erroneous or contrary to law; The Mag Judge's 5/17 rulings and 7/11 order are affirmed; (cc: all counsel) (BAG) (Entered: 10/24/2000)
10/31/2000	92	MOTION by defendant Dillard's, Inc. for summary judgment (BAG) (Entered: 11/01/2000)
10/31/2000	93	MEMORANDUM by defendant Dillard's, Inc. in support of motion for summary judgment [92-1]; (document placed in separate folder) (BAG) (Entered: 11/01/2000)
12/01/2000	94	MOTION by plaintiff EEOC for leave to exceed the twenty page limit in its response to defendant's motion for summary judgment (BAG) (Entered: 12/04/2000)
12/01/2000	95	MEMORANDUM by plaintiff EEOC in support of motion for leave to exceed the twenty page limit in its response to defendant's motion for summary judgment [94-1] (BAG) (Entered: 12/04/2000)
12/01/2000	96	CERTIFICATE of Consultation by plaintiff EEOC re [94-1] (BAG) (Entered: 12/04/2000)
12/04/2000	97	ORDER by Chief Judge Julia S. Gibbons granting motion for leave to exceed the twenty page limit in its response to defendant's motion for summary judgment [94-1]; Pla allowed an add'l five pages for a total of 25 pages; (cc: all counsel) (BAG) (Entered: 12/04/2000)

12/04/2000	98	RESPONSE by plaintiff EEOC to dft's motion for summary judgment [92-1]; w/attachments (document placed in separate folder) (BAG) (Entered: 12/05/2000)
02/02/2001	99	ORDER Denying Defendant's Motion For Summary Judgment by Judge Julia S. Gibbons denying motion for summary judgment [92-1]; The EEOC has established all of the elements necessary for a "prima facie" case of retaliation; ... differential treatment of Anderson and other similarly situated employees at least allows for an inference that Anderson's conduct was insufficient to justify her termination; When the record is considered in its entirety, w/all inferences drawn in favor of EEOC and Anderson, a reasonable jury could reject Dillard's explanation for its decision to terminate Anderson as mere pretext; Dillard's motion for summary judgment is denied; (cc: all counsel) (BAG) (Entered: 02/05/2001)
02/09/2001	100	PROPOSED Pre-Trial Order submitted by plaintiff EEOC (BAG) (Entered: 02/12/2001)
02/12/2001	101	MOTION by plaintiff EEOC in limine to exclude after-acquired evidence of prior employment records (BAG) (Entered: 02/13/2001)
02/12/2001	102	MEMORANDUM by plaintiff EEOC in support of motion in limine to exclude after-acquired evidence of prior employment records [101-1] (BAG) (Entered: 02/13/2001)
02/12/2001	103	MOTION by plaintiff EEOC in limine to exclude Mary Anderson's Personnel Records from Youth Village (BAG) (Entered: 02/13/2001)
02/12/2001	104	MEMORANDUM by plaintiff EEOC in support of motion in limine to exclude Mary Anderson's Personnel Records from Youth Village [103-1] (BAG) (Entered: 02/13/2001)
02/12/2001	105	MOTION by plaintiff EEOC in limine to exclude Mary Anderson's Personnel Records from Memphis City Schools (BAG) (Entered: 02/13/2001)
02/12/2001	106	MEMORANDUM by plaintiff EEOC in support of motion in limine to exclude Mary Anderson's Personnel Records from Memphis City Schools [105-1] (BAG) (Entered: 02/13/2001)
02/16/2001	107	MINUTES: ; Pretrial conference held 2/16/01 . Jury trial set on 2/26/01; est trial length 3 days; amended joint pto to be submitted. Trial remains set. Presiding Judge: Gibbons PLA Atty: Deidre Smith, Faye Williams DFT Atty: Tom Henderson (EHG) (Entered: 02/22/2001)
02/21/2001	108	PROPOSED Jury Instructions submitted by plaintiff EEOC (EHG) (Entered: 02/23/2001)
02/21/2001	109	PROPOSED Voir Dire Questions submitted by plaintiff EEOC (EHG) (Entered: 02/23/2001)
02/22/2001	111	NOTICE OF ATTORNEY APPEARANCE for defendant Dillard's, Inc. by Joseph Kellam Warren (EHG) (Entered: 02/23/2001)
02/23/2001	110	JOINT PRE-TRIAL ORDER approved by Judge Julia S. Gibbons : (cc: all counsel) (EHG) (Entered: 02/23/2001)

03/16/2001	112	SETTLEMENT AGREEMENT by Judge Julia S. Gibbons; The Commission and Dillard's have agreed to this Settlement Agreement to settle all claims involved in this lawsuit; Dft agrees to pay a lump sum payment of \$8,500.00, less withholding taxes to Mary Anderso; Dft shall issue a payroll check to Ms. Anderson...; Dft shall expunge from Ms. Anderson's personnel records any adverse comments or documents regarding her discharge from employment with dft; Dft will provide a copy of check to K.W. Kores, regional Atty; Each of the parties shall bear its own costs, including attys' fees; dismissing case (cc: all counsel) (BAG) (Entered: 03/16/2001)
04/20/2001	113	MOTION by plaintiff EEOC for enforcement of settlement agreement , and Request for attorney's fees (EHG) (Entered: 04/23/2001)
04/20/2001	114	MEMORANDUM by plaintiff EEOC in support of motion for enforcement of settlement agreement [113-1], of Request for attorney's fees [113-2] w/attachments (EHG) (Entered: 04/23/2001)
04/20/2001	115	AFFIDAVIT IN SUPPORT OF MOTION FOR ENFORCEMENT OF SETTLEMENT AGREEMENT by Faye A. Williams re [113-1] (EHG) (Entered: 04/23/2001)
04/20/2001	116	AFFIDAVIT In Support of Request for Attorney Fees by Faye A. Williams re [113-2] (EHG) (Entered: 04/23/2001)
04/23/2001	117	AMENDMENT TO MOTION FOR ENFORCEMENT OF SETTLEMENT AGREEMENT.. by plaintiff EEOC to [113-1] (EHG) (Entered: 04/23/2001)
04/23/2001	118	AMENDMENT TO MEMORANDUM IN SUPPORT OF MOTION FOR ENFORCEMENT OF SETTLEMENT AGREEMENT.. by plaintiff EEOC to [114-1] (EHG) (Entered: 04/23/2001)
04/23/2001	119	AFFIDAVIT of Brenda C. Webber re [117-1] (EHG) (Entered: 04/23/2001)
04/27/2001	120	UNCONTESTED MOTION by defendant Dillard's, Inc. for extension of time to respond to plaintiff's motion for enforcement of settlement agreement and request for reasonable attorneys' fees w/certificate of consultation (EHG) (Entered: 04/30/2001)
04/30/2001	121	ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S MOTION FOR ENFORCEMENT OF SETTLEMENT AGREEMENT AND REQUEST FOR REASONABLE ATTORNEYS' FEES.. by Judge Julia S. Gibbons ...to 5/21/01. [120-1] (cc: all counsel) (EHG) (Entered: 05/01/2001)
05/03/2001	122	ORDER Postponing Depositions by Judge Bernice B. Donald; The depositions scheduled for 5/7/01, are postponed; The court will set a conference to discuss the taking of depositions in the very near future; (cc: all counsel) (BAG) (Entered: 05/03/2001)
05/21/2001	123	MOTION by defendant Dillard's, Inc. for extension of time to respond to plaintiff's motion for enforcement of settlement agreement, request for reasonable attorneys' fees, and amendment to motion for enforcement of settlement agreement (EHG) (Entered: 05/22/2001)

05/21/2001	124	MEMORANDUM by defendant Dillard's, Inc. in support of motion for extension of time to respond to plaintiff's motion for enforcement of settlement agreement, request for reasonable attorneys' fees, and amendment to motion for enforcement of settlement agreement [123-1] (EHG) (Entered: 05/22/2001)
05/21/2001	125	CERTIFICATE OF CONSULTATION by defendant Dillard's, Inc. re motion for extension of time to respond to plaintiff's motion for enforcement of settlement agreement, request for reasonable attorneys' fees, and amendment to motion for enforcement of settlement agreement (EHG) (Entered: 05/22/2001)
05/23/2001	127	MINUTES: Chambers Conference; discussion re: settlement agreement; Court to get Mag Breen to take w/counsel re: dispositions; Presiding Judge: Gibbons PLA Atty: Faye Williams/Katherine Kores DFT Atty: Tom Henderson/Teresa Baldwin C/R: Mark Dodson (YDS) (Entered: 05/29/2001)
05/24/2001	126	ORDER by Judge Julia S. Gibbons granting motion for extension of time to respond to plaintiff's motion for enforcement of settlement agreement, request for reasonable attorneys' fees, and amendment to motion for enforcement of settlement agreement [123-1] ..w/in 30 days after the court allows depositions to proceed. (cc: all counsel) (EHG) (Entered: 05/24/2001)
05/29/2001	128	SETTING LETTER : settlement conference set for 10:00 6/13/01, Courtroom M-3 (YDS) (Entered: 05/29/2001)
05/31/2001	129	SETTING LETTER settlement conference REset for 10:00 6/19/01 (EHG) (Entered: 06/01/2001)
06/22/2001	130	SETTING LETTER settlement conference set for 10:00 7/18/01 (EHG) (Entered: 06/25/2001)
06/27/2001	131	TRANSCRIPT of proceedings for the following date(s): 5/23/01 as to plaintiff EEOC, defendant Dillard's, Inc. of In-Chambers Conference Volumes 1 Court Reporter: Mark Dodson (document placed in separate folder) (EHG) (Entered: 06/28/2001)
08/08/2001	132	MOTION by plaintiff EEOC to withdraw motion for enforcement of settlement agreement and request for attorney's fee (EHG) (Entered: 08/09/2001)
08/10/2001	133	ORDER by Judge Julia S. Gibbons granting motion to withdraw motion for enforcement of settlement agreement and request for attorney's fee [132-1] withdrawing motion for enforcement of settlement agreement [113-1], withdrawing motion Request for attorney's fees [113-2]. ..This case will be set for trial and the parties will receive a notice of resetting. (cc: all counsel) (EHG) Modified on 08/13/2001 (Entered: 08/13/2001)
08/22/2001	134	MOTION by defendant Dillard's, Inc. for reconsideration of order granting plaintiff's motion to withdraw motion for enforcement of settlement agreement , and request for reasonable attorney's fee (EHG) (Entered: 08/23/2001)
08/22/2001	135	MEMORANDUM by defendant Dillard's, Inc. in support of motion for reconsideration of order granting plaintiff's motion to withdraw motion for enforcement of settlement agreement [134-1], of motion request for reasonable attorney's fee [134-2] (document placed in separate folder) (EHG) (Entered: 08/23/2001)

08/22/2001	136	CERTIFICATE OF CONSULTATION by defendant Dillard's, Inc. re motion for reconsideration (EHG) (Entered: 08/23/2001)
08/27/2001	137	SETTING LETTER : in court hearing/Attorney Conference set for 9/4/01 at 9:00 (EHG) (Entered: 08/28/2001)
08/28/2001	138	RESPONSE IN OPPOSITION by plaintiff EEOC to motion for reconsideration of order granting plaintiff's motion to withdraw motion for enforcement of settlement agreement [134-1] (EHG) (Entered: 08/29/2001)
09/04/2001	139	MINUTES: ; Atty conf held 9/4/01 . Parties indicated case w/likely be resolved. Presiding Judge: Gibbons PLA Atty: Katharine Kores, Deidre Smith, Faye Williams DFT Atty: Tom Henderson C/R: Mark Dodson (EHG) (Entered: 09/06/2001)
10/05/2001	140	NOTICE OF RESOLUTION OF CASE/NOTICE OF DISMISSAL OF CASE by plaintiff EEOC, defendant Dillard's, Inc. (EHG) (Entered: 10/05/2001)
10/16/2001	141	ORDER OF DISMISSAL by Judge Julia S. Gibbons re [140-1] ..The Court having received a Notice of Resolution of Case, filed 10/5/01, this case is hereby DISMISSED with prejudice. (cc: all counsel) (EHG) (Entered: 10/17/2001)
10/22/2001	142	JUDGMENT IN A CIVIL CASE: by Judge Julia S. Gibbons re [141-1] (cc: all counsel) (EHG) (Entered: 10/22/2001)

PACER Service Center

Transaction Receipt

06/07/2007 10:14:31

PACER Login:	hs0328	Client Code:	eeoc+++++
Description:	Docket Report	Search Criteria:	2:99-cv-02835-jsg
Billable Pages:	9	Cost:	0.72