

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:97-cv-03261**

EEOC v. Chelsea N Walk Apts, et al
Assigned to: Judge Nancy F. Atlas
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/30/1997
Date Terminated: 06/29/1999
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Kathy D Boutchee**
EEOC
1919 Smith St
7th Floor
Houston, TX 77002
713-209-3399
Fax: 713-209-3402 fax
Email: kathy.boutchee@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Chelsea North Walk Apartments

represented by **Elizabeth B Pratt**
Mehaffy Weber
P O Box 16
Beaumont, TX 77704
409-835-5011
Fax: 409-835-5177
Email: elizabethpratt@mehaffyweber.com
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
Nexus Health Systems Inc
One Riverway
Ste 600
Houston, TX 77056
713-589-4105
Fax: 713-482-4905
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Ren-AI Rents Inc**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Jarga Management***TERMINATED: 03/24/1999*

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
TERMINATED: 03/24/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Point Moritz N Apts***TERMINATED: 03/24/1999*

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
TERMINATED: 03/24/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Valla Real Estate III Inc***TERMINATED: 03/24/1999*

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
TERMINATED: 03/24/1999
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

L A Investment Properties Inc
TERMINATED: 03/24/1999

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
TERMINATED: 03/24/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bayou Apartments
TERMINATED: 03/24/1999

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Katherine Schmitt Nicol
(See above for address)
TERMINATED: 03/24/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Rose . Smith

represented by **Robert C Gerringer**
Attorney at Law
2855 Mangum
Ste 330
Houston, TX 77092
713-957-0288
Fax: 713-957-0296 fax
TERMINATED: 02/09/1998
LEAD ATTORNEY
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William Paul Catalano
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Houston, TX 77046
713-651-0111
Fax: 713-651-0220 fax
Email: pcatalano@coatsrose.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff**Dawn Falls**

represented by **Robert C Gerringer**
(See above for address)
TERMINATED: 02/09/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Paul Catalano
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant**Chelsea North Walk Apartments**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant**Ren-AI Rents Inc**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant**Jarga Management**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant**Point Moritz N Apts**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant**Valla Real Estate III Inc**

represented by **Elizabeth B Pratt**
(See above for address)
TERMINATED: 02/27/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

L A Investment Properties Increpresented by **Elizabeth B Pratt**

(See above for address)

*TERMINATED: 02/27/1998**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Intervenor Defendant****Bayou Apartments**represented by **Elizabeth B Pratt**

(See above for address)

*TERMINATED: 02/27/1998**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/30/1997	1	COMPLAINT filed; (bchurchill) (Entered: 10/01/1997)
09/30/1997	2	ORDER for Conf set initial pretrial and scheduling conference for 1:30 11/21/97 before Judge Nancy F. Atlas , entered; Parties notified. (signed by Judge Nancy F. Atlas) (bchurchill) (Entered: 10/01/1997)
10/21/1997		9 SUMMONS issued (fmrempp) (Entered: 10/21/1997)
10/22/1997		1 SUMMONS issued (hlerma) (Entered: 10/22/1997)
10/23/1997	8	RETURN OF SERVICE executed as to Jarga Management c/o Al Antonini 10/22/97 filed Answer due on 11/11/97 for Jarga Management (Itien) (Entered: 10/23/1997)
10/23/1997	3	RETURN OF SERVICE executed as to Point Moritz N Apts c/o James Lomonaco 10/23/97 filed Answer due on 11/12/97 for Point Moritz N Apts (Itien) (Entered: 10/23/1997)
10/23/1997	4	RETURN OF SERVICE executed as to Chelsea N Walk Apts c/o James Lomonaco 10/23/97 filed Answer due on 11/12/97 for Chelsea N Walk Apts (Itien) (Entered: 10/23/1997)
10/23/1997	5	RETURN OF SERVICE executed as to Ren-Al Rents Inc 10/23/97 c/o James Lomonaco filed Answer due on 11/12/97 for Ren-Al Rents Inc (Itien) (Entered: 10/23/1997)
10/23/1997	6	RETURN OF SERVICE executed as to Bayou Apartments c/o Alfred J Antonini 10/23/97 filed Answer due on 11/12/97 for Bayou Apartments (Itien) (Entered: 10/23/1997)
10/23/1997	7	RETURN OF SERVICE executed as to L A Investment Properties c/o Al Antonini 10/22/97 filed Answer due on 11/11/97 for L A Investment Properties (Itien) (Entered: 10/23/1997)
10/23/1997	9	RETURN OF SERVICE executed as to Point Moritz N Apts c/o Al Antonini 10/22/97 filed Answer due on 11/11/97 for Point Moritz N Apts (Itien) (Entered: 10/23/1997)

10/23/1997	10	RETURN OF SERVICE executed as to Chelsea N Walk Apts c/o Al Antonini 10/22/97 filed Answer due on 11/11/97 for Chelsea N Walk Apts (Itien) (Entered: 10/23/1997)
10/23/1997	11	RETURN OF SERVICE executed as to Valla Real Estate c/o Al Antonini 10/22/97 filed Answer due on 11/11/97 for Valla Real Estate (Itien) (Entered: 10/23/1997)
11/07/1997	12	RETURN OF SERVICE executed as to Bayou Apartments 10/31/97 filed Answer due on 11/20/97 for Bayou Apartments (fmrem) (Entered: 11/10/1997)
11/14/1997	13	JOINT DISCOVERY/Case Management Plan by EEOC , filed. (fmrem) (Entered: 11/14/1997)
11/14/1997	14	UNOPPOSED MOTION for extension of deadlines by Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management, Point Moritz N Apts, Valla Real Estate, L A Investment Prop, Bayou Apartments Kathy D Boutchee for plaintiff EEOC, Motion Docket Date 12/4/97 [14-1] motion , filed. (fmrem) (Entered: 11/17/1997)
11/18/1997	15	ORDER granting dft's [14-1] motion for extension of deadlines ; set parties shall file their case management plan by 12/5/97 , set initial case management conference on 12/12/97 before Judge Nancy F. Atlas , reset answer due for 11/26/97 for Bayou Apartments, for L A Investment Prop, for Valla Real Estate, for Point Moritz N Apts, for Jarga Management, for Ren-Al Rents Inc, for Chelsea N Walk Apts , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 11/18/1997)
11/26/1997	16	ORIGINAL ANSWER to Complaint by Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management, Point Moritz N Apts, Valla Real Estate, L A Investment Prop, Bayou Apartments (Added attorney) , filed. (fmrem) (Entered: 11/26/1997)
12/04/1997	17	MOTION for leave to intervene as of right as party pltf's by Rose Smith, Dawn Falls, Motion Docket Date 12/24/97 [17-1] motion , filed. (Itien) (Entered: 12/04/1997)
12/04/1997	18	MEMORANDUM by Rose Smith, Dawn Falls in support of their [17-1] motion for leave to intervene as of right as party pltf's , filed (Itien) (Entered: 12/04/1997)
12/04/1997	19	Intervenor's COMPLAINT by Rose Smith, Dawn Falls against Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management, Point Moritz N Apts, Valla Real Estate, L A Investment Prop, Bayou Apartments , filed (Itien) (Entered: 12/04/1997)
12/05/1997	20	JOINT DISCOVERY/Case Management Plan by EEOC, Chelsea N Walk Apts , et al filed. (Itien) (Entered: 12/05/1997)
12/12/1997	21	DOCKET CONTROL ORDER: Anticipated Length of Trial 3-4 Days; Jury?, The disposition of this case will be controlled by the following schedule New Parties 1/15/98; Amendments of Pleadings 1/15/98; Expert Witnesses by Plaintiff 4/30/98; Experts Witnesses by Defendant 6/30/98; Mediation/ADR: 9/30/98; Discovery 9/15/98; Dispositive Motions will be filed by 10/16/98; All Other Pretrial Motions including Daubert Motions by 10/16/98; Joint Pretrial Order 2/5/99; Docket Call 2/12/99 at 4:00 PM , mediation/ADR deadline by 9/30/98 ,

		entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 12/16/1997)
12/12/1997	22	(SL) 12/12/97 Hearing, Minutes & Order: Appearances: Kathy Boutchee f/Plaintiff, Elizabeth Pratt f/Defendants, Paul Catalano f/Intervenor-Plaintiff, Court Reporter: F Warner; Pretrial Conference held, Plaintiff's Motion for Leave to Intervene as of Right as Party Plaintiff [Doc #17] is GRANTED for reasons stated on the record in open Court; Court deems the Defendants' written response filed today, so that Defendants may preserve their right on attorney fees, entered, Parties notified (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 12/16/1997)
12/19/1997	23	RESPONSE by Chelsea N Walk Apts, et al in opposition to Rose Smith and Dawn Falls' [17-1] motion for leave to intervene as of right as party plfts , filed (fmrem) (Entered: 12/19/1997)
12/24/1997	24	ORIGINAL ANSWER by Chelsea N Walk Apts, et al to [19-1] intervenor complaint of Rose Smith and Dawn Falls, filed. (fmrem) (Entered: 12/29/1997)
01/07/1998	25	FIRST AMENDED intervenor's COMPLAINT by Rose . Smith, Dawn Falls amending [19-1] intervenor complaint , filed (fmrem) (Entered: 01/07/1998)
01/13/1998	26	INITIAL DISCLOSURES Pursuant to Rule 16 Of The Federal Rules of Civil Procuedure, filed (fmrem) (Entered: 01/13/1998)
01/13/1998	27	Plea and Original ANSWER by Defts Chelsea N Walk Apts, Ren-AI Rents Inc, Jarga Management, Point Moritz N Apts, et al, to the [25-1] Amended Complaint In Intervention of Rose Smith and Dawn Falls, filed. (psmith) (Entered: 01/13/1998)
01/13/1998	28	FIRST AMENDED ANSWER to Complaint by Chelsea N Walk Apts, Ren-AI Rents Inc, Jarga Management, Point Moritz N Apts, Valla Real Estate, L A Investment Prop, Bayou Apartments : amends [16-1] answer , filed. (fmrem) (Entered: 01/20/1998)
01/13/1998	29	NOTICE OF INITIAL DISCLOSURE by Defendant Chelsea N Walk Apts, etal, filed (fmrem) (Entered: 01/22/1998)
01/26/1998	30	FIRST SUPPLEMENTAL DISCLOSURES by EEOC , filed. (fmrem) (Entered: 01/26/1998)
01/26/1998	31	FIRST SUPPLEMENTAL [26-1] Disclosures, by EEOC , filed. (psmith) (Entered: 01/26/1998)
02/09/1998	32	DESIGNATION by Rose . Smith, Dawn Falls designating William Paul Catalano as attorney in charge, filed. (fmrem) (Entered: 02/09/1998)
02/25/1998	33	MOTION for Elizabeth B. Pratt to withdraw as attorney for Defts by Elizabeth Pratt, atty for Chelsea N Walk Apts, et al Motion Docket Date 3/17/98 [33-1] motion , filed. (fmrem) (Entered: 02/25/1998)
02/27/1998	34	ORDER granting [33-1] motion for Elizabeth B. Pratt to withdraw as attorney for Defts. Defts shall notify the Court promptly when and if Defts retain other legal counsel to act on their behalf in this matter , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 03/03/1998)

04/20/1998	35	MOTION to substitute attorney Kathrine Schmitt in place of Elizabeth B. Pratt by Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management, Point Moritz N Apts, Valla Real Estate, L A Investment Prop, Bayou Apartments, Motion Docket Date 5/10/98 [35-1] motion , filed. (fmrem) (Entered: 04/21/1998)
04/27/1998	36	ORDER granting Deft's [35-1] motion to substitute attorney Kathrine Schmitt in place of Elizabeth B. Pratt Added Kathrine B Schmitt , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 04/27/1998)
06/30/1998	37	DESIGNATION OF EXPERT WITNESS LIST by Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management filed. (fmrem) (Entered: 07/01/1998)
08/24/1998	38	MOTION to continue trial setting and, for extension of scheduling order deadlines by EEOC, Motion Docket Date 9/13/98 [38-1] motion, 9/13/98 [38-2] motion , filed. (fmrem) (Entered: 08/24/1998)
08/25/1998	39	ORDER set pretrial conference for 2:00 9/4/98 before Judge Nancy F. Atlas , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 08/26/1998)
11/25/1998	40	JOINT MOTION for continuance , and for entry of new scheduling order deadlines by EEOC, Chelsea N Walk Apts, Ren-Al Rents Inc, Jarga Management, et al, filed (psmith) (Entered: 11/25/1998)
11/30/1998	41	ORDER granting [40-1] joint motion for continuance; granting [40-2] joint motion for entry of new scheduling order deadlines. The various scheduling deadlines in this case shall be extended as set forth in a separate Amended Docket Control ORder. The Deadlines set forth in Court's [21-3] Docket Control Order dated 12/12/97 is VACATED. No further scheduling extensions will be granted , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 12/02/1998)
11/30/1998	42	SCHEDULING ORDER setting Joining of parties 1/15/99 ; Amending of pleadings 1/15/99 ; Pltf expert witness list submitted by 1/15/99 ; Deft expert witness list submitted by 2/15/99 ; Mediation deadline 4/30/99 Discovery cutoff 3/15/99 ; Deadline for filing all dispositive motions 4/5/99 ; Deadline for filing non-dispositive motions 4/5/99 ; Pretrial order to be submitted on or before 7/6/99 ; Docket call deadline 4:00 7/9/99 before Judge Nancy F. Atlas , ETT: 3-4 Days/jury, entered. Parties notified. (Signed by Judge Nancy F. Atlas) (fmrem) (Entered: 12/02/1998)
02/22/1999	43	OBJECTION to Subpeona Duces Tecum to class members by EEOC , filed. (fmrem) (Entered: 02/23/1999)
03/04/1999	44	ORDER set pretrial conference regarding Pltf's Objection to Subpoena Decus Tecum to Class Members (#43) for 1:30 3/19/99 before Judge Nancy F. Atlas . Pltf to provide to this Court a copy of the Subpoena Decus Tecum by fax before the above set hearing date , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 03/08/1999)
03/19/1999	45	Minute Entry Order: Pretrial conference held. Terminated deadlines . Appearances: Kathy Boutchee f/Pltf; Rex Frazer f/Intervenor-Pltf; Kathrine Schmitt f/Defts; Parties announce on the record they have worked out their discovery disputes and stated their agreements on the record. By the agreement of

		counsel, the Defts Jarga Management, Point Moritz N. Apts., Valla Real Estate III Inc., L.A. Investment Properties, Inc., Bayou Apartments are dismissed with prejudice and Ren-al Rents Inc. is dismissed without prejudice in accordance with this record. Parties stipulate that Deft Chelsea North Walk Apts has sufficient employees to provide the EEOC with jurisdiction of this dispute, thus mooting pending discovery on integrated enterprise issues. The remaining Deft agrees to produce the personnel files of Ruby Lidawi and the part-time leasing agent. The Intervenor Pltfs will produce requested documents contained in Deft's newly-issued subpoena duces tecum. Parties to notify the Court of the name of their agreed mediator and the date and time of their mediation. Parties may submit to the Court an order for mediation to embody that information. reset dispositive motion filing deadline for 5/31/99 , reset non-dispositive motion filing deadline for 5/31/99 mooting [43-1] objection Ct Reporter: W. Faris , entered. Parties ntf. (Signed by Judge Nancy F. Atlas) (fmrem) Modified on 03/24/1999 (Entered: 03/24/1999)
05/25/1999	46	MOTION for summary judgment by Chelsea N Walk Apts, Motion Docket Date 6/14/99 [46-1] motion , filed. (fmrem) (Entered: 05/26/1999)
06/16/1999	47	RESPONSE by Rose Smith, Dawn Falls to Deft's [46-1] motion for summary judgment , filed. (fmrem) (Entered: 06/16/1999)
06/29/1999	48	30-day Conditional Order of Dismissal entered; DISMISSING case w/o prejudice to reinstatement on or before 7/30/99. Parties ntf. (Signed by Judge Nancy F. Atlas) (fmrem) (Entered: 06/30/1999)
06/29/1999		Case closed (fmrem) (Entered: 06/30/1999)
07/30/1999		Rec'd and fwd to CRD: Consent Decree (fmrem) (Entered: 08/02/1999)
08/04/1999	49	CONSENT DECREE/ORDER , entered; Parties notified. (signed by Judge Nancy F. Atlas) (fmrem) (Entered: 08/04/1999)
08/19/1999	50	Alternate Dispute Resolution Provider MEMORANDUM from Mediator Susan G Perin to Clerk of Court advising case referred to ADR settled , filed. (mkalmbach) (Entered: 08/19/1999)
08/19/1999		Alternative Dispute Resolution Questionnaire mailed to all parties of record. (mkalmbach) (Entered: 08/19/1999)
09/29/1999	51	MOTION for issuance of an order to show cause why Deft Chelsea Walk North Apartments should not be held in contempt by EEOC, Motion Docket Date 10/19/99 [51-1] motion , filed. (fmrem) (Entered: 09/29/1999)
09/29/1999	52	MEMORANDUM by EEOC in support of EEOC's [51-1] motion for issuance of an order to show cause why Deft Chelsea Walk North Apartments should not be held in contempt , filed (fmrem) (Entered: 09/29/1999)
11/10/1999	53	Minute Entry Order: Show cause hearing held. Terminated deadlines . Appearances: Kathy Boutchee f/Pltf; Katherine B. Schmitt f/Deft. Pltf's [51-1] motion for issuance of an order to show cause why Deft Chelsea Walk North Apartments should not be held in contempt is GRANTED. The Deft must complete the terms of the Consent Decree, and schedule a meeting with all employees concerning the non-discrimination employment procedures required by the Consent Decree by 11/16/99. The Deft shall pay within two weeks 5.411%

interest per day for the fifty-seven days that it was late in making payments to the Pltfs. Ct Reporter: G. Dye, entered. Parties ntfd. (Signed by Judge Nancy F. Atlas) (fmremp) (Entered: 11/15/1999)

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