

ADR, CLOSED, JURY

**U.S. District Court
Northern District of Texas (Amarillo)
CIVIL DOCKET FOR CASE #: 2:98-cv-00327**

EEOC v. Conagra Inc, et al
Assigned to: Judge Mary Lou Robinson
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/30/1998
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jeffrey Charles Bannon**
Equal Employment Opportunity
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V.

Intervenor Plaintiff**Mary nmi Trevino**

represented by **William E Kelly, III**
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V.

Defendant**Conagra, Inc.***TERMINATED: 08/30/1999**doing business as*

US Benefits & Risk Management Inc

represented by **Billy R Wolfe**
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*TERMINATED: 08/30/1999***Charles R Watson, Jr**

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Provider

John E Simpson
TERMINATED: 08/30/1999

Intervenor Defendant

Conagra, Inc.
TERMINATED: 08/30/1999
doing business as
US Benefits & Risk Management Inc

Defendant

Monfort, Inc

represented by **Billy R Wolfe**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Monfort, Inc

represented by **Billy R Wolfe**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/30/1998	1	COMPLAINT (NATURE OF THE ACTION) filed; (6) (djs) (Entered: 09/30/1998)
09/30/1998	1	DEMAND for jury trial by plaintiff EEOC (djs) (Entered: 09/30/1998)
09/30/1998	2	SUMMONS(ES) issued for defendant Conagra Inc (1) (djs) (Entered: 09/30/1998)
10/15/1998	3	MOTION with brief in support by Mary nmi Trevino to intervene by Mary nmi Trevino (3) (plh) (Entered: 10/15/1998)
10/15/1998	5	Intervenor's COMPLAINT by Mary Trevino against Conagra Inc (5) (plh) Modified on 10/21/1998 (Entered: 10/20/1998)
10/20/1998	4	ORDER granting [3-1] motion to intervene by Mary nmi Trevino. Clerk shall file Intervenor's Original Complaint and Request for Jury Trial effective as of the date the Motion to Intervene was filed. (signed by MLR) Copies to counsel: 10/20/98 Page(s) 1 (plh) (Entered: 10/20/1998)
10/20/1998	5	DEMAND for jury trial by Mary nmi Trevino (plh) (Entered: 10/20/1998)
10/22/1998	6	SUMMONS(ES) issued for Conagra Inc (1) (plh) (Entered: 10/22/1998)
11/06/1998	7	RETURN OF SERVICE executed as to Conagra Inc 11/2/98 Answer due on 11/23/98 for Conagra Inc (2) (plh) (Entered: 11/09/1998)
12/02/1998	8	MOTION by Conagra Inc for extension of time (3) (plh) (Entered: 12/02/1998)
12/02/1998	9	ORDER granting [8-1] motion for extension of time resetting answer due for 12/9/98 for Conagra Inc (signed by MLR) Copies to counsel: 12/2/98 Page(s) 2 (plh) (Entered: 12/02/1998)
12/09/1998	10	ANSWER to Complaint by Conagra Inc (Attorney Charles R Watson, Jr and Billy R Wolfe) (6) (plh) (Entered: 12/09/1998)
12/09/1998	11	MOTION by Conagra Inc to dismiss (7) (plh) (Entered: 12/09/1998)
12/09/1998	12	BRIEF by Conagra Inc in support of [11-1] motion to dismiss (11) (plh) (Entered: 12/09/1998)
12/10/1998	13	ORIGINAL RULE 16 SCHEDULING ORDER setting Joining of Parties on 1/22/99 ; Amending of Pleadings on 6/4/99 ; Discovery cutoff 6/7/99 ; Deadline for filing of dispositive motions 6/22/99 ; Pretrial materials (Designation of Experts) due on 2/8/99; Summary Judgment Deadline 6/9/99 and Deadline for rule 26(a)(3) disclosures is 7/12/99. (signed by MLR) Copies to counsel: 12/10/98 Page(s): 3 (plh) (Entered: 12/10/1998)

12/18/1998	14	UNOPPOSED MOTION by EEOC for extension of time (3) (plh) (Entered: 12/18/1998)
12/21/1998	15	ANSWER by Conagra Inc to [5-1] intervenor complaint (7) (jeh) (Entered: 12/21/1998)
12/21/1998	16	MOTION by intervenor-defendant Conagra Inc to dismiss invervenor's state law claims (4) (jeh) (Entered: 12/21/1998)
12/21/1998	17	MEMORANDUM by Conagra Inc in support of [16-1] motion to dismiss invervenor's state law claims (10) (jeh) (Entered: 12/21/1998)
12/22/1998	18	ORDER granting [14-1] motion for extension of time Response to motion reset to 1/27/99 for [16-1] motion to dismiss invervenor's state law claims, reset to 1/27/99 for [11-1] motion to dismiss (signed by MLR) Copies to counsel: 12/22/98 Page(s) 2 (jeh) (Entered: 12/22/1998)
01/08/1999	19	UNOPPOSED MOTION by Mary nmi Trevino to extend time to file its answer to intervenor's original complaint (3) (plh) (Entered: 01/08/1999)
01/14/1999	20	ORDER granting [19-1] motion to extend time to file its answer to intervenor's original complaint Court extends Intervenor's time for dft motion to dimiss to 1/25/99 (signed by MLR) Copies to counsel: 1/14/99 Page(s) 1 (djs) (Entered: 01/14/1999)
01/25/1999	21	FIRST AMENDED COMPLAINT by Mary nmi Trevino , amending [5-1] intervenor complaint and request for jury trial (8) (plh) (Entered: 01/25/1999)
01/25/1999	21	DEMAND for jury trial by Mary nmi Trevino (plh) (Entered: 01/25/1999)
01/25/1999	22	RESPONSE by Mary nmi Trevino to [16-1] motion to dismiss invervenor's state law claims (3) (plh) (Entered: 01/25/1999)
01/25/1999	23	BRIEF by Mary nmi Trevino in support of [22-1] motion responseo motionto dismiss intervenor's state law claims (8) (plh) (Entered: 01/25/1999)
01/25/1999	24	RESPONSE by Mary nmi Trevino to [11-1] motion to dismiss (2) (plh) (Entered: 01/25/1999)
01/27/1999	25	RESPONSE by EEOC to [11-1] motion to dismiss (28) (plh) (Entered: 01/27/1999)
02/01/1999	26	U N F I L E D PER ORDER DATED 2/26/99 UNOPPOSED MOTION FOR LEAVE TO APPEAR by Conagra Inc by Jean E Connolly to appear pro hac vice (5) (plh) Modified on 03/30/1999 (Entered: 02/02/1999)
02/01/1999	27	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/02/1999)
02/01/1999	28	UNOPPOSED MOTION FOR LEAVE by Conagra Inc for Roger J Miller to appear pro hac vice (5) (plh) (Entered: 02/02/1999)

02/01/1999	29	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/02/1999)
02/01/1999	30	UNOPPOSED MOTION FOR LEAVE by Conagra Inc for A Stevenson Bogue to appear pro hac vice (5) (plh) (Entered: 02/02/1999)
02/01/1999	31	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/02/1999)
02/02/1999	32	ORDER denying [16-1] motion to dismiss invervenor's state law claims, denying [11-1] motion to dismiss (signed by MLR) Copies to counsel: 2/2/99 Page(s) 1 (plh) (Entered: 02/02/1999)
02/08/1999	33	Expert Witness List by EEOC (4) (plh) (Entered: 02/08/1999)
02/08/1999	34	Designation of Expert Witnesses by Mary nmi Trevino (2) (plh) (Entered: 02/08/1999)
02/23/1999	35	UNOPPOSED MOTION by Conagra Inc for A. Stevenson Bogue to appear as attorney pro hac vice (5) (plh) (Entered: 02/23/1999)
02/23/1999	36	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/23/1999)
02/23/1999	37	UNOPPOSED MOTION by Conagra Inc for Roger J Miller to appear as attorney pro hac vice (5) (plh) (Entered: 02/23/1999)
02/23/1999	38	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/23/1999)
02/23/1999	39	UNOPPOSED MOTION by Conagra Inc for Christopher M Bikus to appear as attorney pro hac vice (5) (plh) (Entered: 02/23/1999)
02/23/1999	40	NOTICE of SERVICE by Conagra Inc (2) (plh) (Entered: 02/23/1999)
02/25/1999	41	ORDER granting [35-1] motion for A. Stevenson Bogue to appear as attorney pro hac vice, granting [30-1] motion for A Stevenson Bogue to appear pro hac vice (signed by MLR) Copies to counsel: 2/25/99 Page(s) 1 (plh) (Entered: 02/25/1999)
02/25/1999	42	ORDER granting [37-1] motion for Roger J Miller to appear as attorney pro hac vice, granting [28-1] motion for Roger J Miller to appear pro hac vice (signed by MLR) Copies to counsel: 2/25/99 Page(s) 1 (plh) (Entered: 02/25/1999)
02/25/1999	43	ORDER granting [39-1] motion for Christopher M Bikus to appear as attorney pro hac vice (signed by MLR) Copies to counsel: 2/25/99 Page (s) 1 (plh) (Entered: 02/25/1999)
02/26/1999	44	UNOPPOSED MOTION by Conagra Inc to extend time (3) (plh) (Entered: 02/26/1999)
02/26/1999	45	UNOPPOSED MOTION by Conagra Inc to extend time to file designation of experts (3) (plh) (Entered: 02/26/1999)
02/26/1999	46	ORDER unfileing [26-1] motion by Jean E Connolly to appear pro hac vice by Conagra Inc due to the following deficiency: No bar number for attorney given. Copies to counsel: 3/1/99 (signed by Judge Mary Lou Robinson) Page(s) 1 (plh) (Entered: 03/01/1999)

03/03/1999	47	AGREED ORDER granting [44-1] motion to extend time. Dfts new deadline for filing its Rule 26(a)(2) disclosures is 4/22/99. (signed by MLR) Copies to counsel: 3/4/99 Page(s) 1 (plh) (Entered: 03/04/1999)
03/03/1999	48	ORDER granting [45-1] motion to extend time to file designation of experts resetting scheduling order deadlines: Pretrial materials (Designation of Experts) due 3/22/99 (signed by MLR) Copies to counsel: 3/4/99 Page(s) 1 (plh) (Entered: 03/04/1999)
03/09/1999	49	UNOPPOSED MOTION by EEOC for extension of time to disclose its expert witness reports (4) (plh) (Entered: 03/09/1999)
03/09/1999	50	UNOPPOSED MOTION by Mary nmi Trevino for extension of time to provide Rule 26(a)(2) disclosures (3) (plh) (Entered: 03/09/1999)
03/11/1999	51	ORDER SETTING RULE 26(a)(2) DISCLOSURE DEADLINE FOR ALL PARTIES granting [50-1] motion for extension of time to provide Rule 26(a)(2) disclosures, granting [49-1] motion for extension of time to disclose its expert witness reports. The Court hereby extends Intervenor's and the EEOC's time to provide Rule 26(a)(2) disclosures to Thursday, April 22, 1999. No further extensions will be granted. (signed by MLR) Copies to counsel: 3/11/99 Page(s) 1 (plh) Modified on 03/11/1999 (Entered: 03/11/1999)
03/12/1999	52	JOINT REPORT ON SETTLEMENT STATUS by EEOC, Conagra Inc, Mary nmi Trevino (4) (plh) (Entered: 03/12/1999)
03/16/1999	53	ORDER referring case to ADR; Type of ADR: non-binding mediation Requested by: court (Signed by MLR) Copies to counsel: 3/16/99 w/ADR form Page(s): 3 (djs) (Entered: 03/16/1999)
03/22/1999	54	Designation of Expert (Expert Witness List) by Conagra Inc (5) (plh) (Entered: 03/22/1999)
04/09/1999	55	STATUS REPORT (Joint Agreement to Mediate) by EEOC, Conagra Inc - John Simpson, Mediator - Mediation set for 4/20/99 (2) (plh) (Entered: 04/09/1999)
04/29/1999	56	UNOPPOSED MOTION by EEOC for leave of court to file Revised Expert Witness List (7) (plh) (Entered: 04/29/1999)
05/07/1999	57	ORDER granting [56-1] unopposed motion for leave of court to file Revised Expert Witness List (signed by MLR) Copies to counsel: 5/10/99 Page(s) 2 (plh) (Entered: 05/10/1999)
07/19/1999		AUGUST PRETRIAL NOTICE & ORDER Deadline updated; setting pretrial order due for 8/3/99 , setting docket call for 9:30 8/16/99 , and setting Jury trial for 9:00 8/17/99 (plh) (Entered: 07/19/1999)
07/23/1999	58	JOINT REPORT ON SETTLEMENT STATUS by EEOC, Conagra Inc (4) (plh) (Entered: 07/23/1999)
07/30/1999	59	ORDER TO FILE STATEMENT OF STIPULATED FACTS AND AGREED STIPULATION ON EXHIBITS - Parties to this action are to

		confer and file, on or before 8/13/99 a complete narrative of stipulated facts. Parties are also to confer and and stipulate as to the authenticity and admissibility of all exhibits and file this stipulation by the same date. (signed by MLR) Copies to counsel: 7/30/99 Page(s) 1 (plh) (Entered: 07/30/1999)
08/20/1999	60	MOTION with memorandum in support by EEOC to amend [1-1] complaint (6) (uls) (Entered: 08/23/1999)
08/20/1999	61	MOTION with memorandum in support by Mary nmi Trevino to file Second Amended Complaint amending [21-1] amended complaint (5) (uls) (Entered: 08/23/1999)
08/30/1999	62	ORDER granting [60-1] motion to amend [1-1] complaint and granting [61-1] motion to file Second Amended Complaint amending [21-1] amended complaint (signed by MLR) Copies to counsel: 8/30/99 Page(s) 1 (uls) (Entered: 08/30/1999)
08/30/1999	63	AMENDED COMPLAINT by EEOC , amending [1-1] complaint against Monfort, Inc (5) (uls) (Entered: 08/30/1999)
08/30/1999	64	AMENDED COMPLAINT by Mary nmi Trevino , amending [21-1] amended complaint against Monfort, Inc (7) (uls) (Entered: 08/30/1999)
08/30/1999	65	CONSENT DECREE - SEE ORDER - Monfort shall pay gross sum of \$900,000.00 of which Mary Trevino will receive \$450,000.00. The remaining \$450,000.00 ("Claim Fund") will be distributed among all eligible claimants as described herein. Monfort will prepare and tender award checks in accordance w/provisions hereafter noted. Within 21 days after entry of Consent Decree, Monfort shall issue a check in the amount of \$450,000.00, made payable to Mary Trevino and her attorney. Eligible Claimants shall be those women who were employed by Monfort at its Cactus, Texas facility between 3/17/95 and the date of entry of Consent Decree who submit credible evidence that subsequent to 3/17/95 they were (a) subjected to hostile work environment because of their sex; (b) subjected to sexual harassment or sex-based harassment; and/or (c) retaliated against because they opposed sexual harassment or participated in any proceeding relating to a complaint of sexual harassment, sex-based harassment or retaliation...SEE ORDER (signed by MLR) Copies to counsel: 8/30/99 Page(s): 34 (uls) (Entered: 08/30/1999)
08/30/1999	66	STIPULATION of dismissal (2) (uls) (Entered: 08/30/1999)
08/30/1999	67	ORDER granting [66-1] Intervenor and Defendant's Stipulation of Dismissal. All claims of Intervenor Mary Trevino are hereby dismissed (signed by MLR) Copies to counsel: 8/30/99 Page(s) 2 (uls) (Entered: 08/30/1999)
08/30/1999		Case closed (uls) (Entered: 08/30/1999)
05/12/2000	68	MOTION by EEOC to appoint special master (33) (plh) (Entered: 05/12/2000)
06/16/2000	69	ORDER granting [68-1] motion to appoint special master. Ordered that

		John Simpson be appointed to serve as the Special Master to assist in the implementation and enforcement of the Consent Decree entered in the above styled case regarding the distribution of the settlement funds to the Eligible Claimants. (signed by MLR) Copies to counsel: 6/16/00 Page(s) 1 (plh) (Entered: 06/16/2000)
07/19/2000	70	REPORT OF SPECIAL MASTER (7) (plh) (Entered: 07/19/2000)

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