

CLOSED, MOTREF

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:05-cv-03364**

Equal Employment Opportunity Commission v. Da Fa Sjanghi  
Inc  
Assigned to: Judge David Hittner  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/29/2005  
Date Terminated: 05/22/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **James Sacher**

EEOC  
1919 Smith St  
Ste 700  
Houston, TX 77002  
713-209-3398  
Fax: 713-209-3402  
Email: james.sacher@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rodolfo Lucio Sustaita**

EEOC  
Senior Trial Attorney  
1919 Smith St  
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Houston, TX 77002  
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Fax: 713-209-3402  
Email: rudy.sustaita@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Da Fa Sjanghi Inc**  
*doing business as*  
IHop

**Intervenor Plaintiff**

**Mary Delaughter**

represented by **Mark L Mitchell**

Attorney at Law  
510 Bering  
Ste 300

Houston, TX 77057  
 713-228-4300  
 Fax: 713-228-4391  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Plaintiff**

**Holly Hamilton**

represented by **Mark L Mitchell**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Plaintiff**

**Erica Johnston**

represented by **Mark L Mitchell**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Plaintiff**

**Laura Mendez**

represented by **Mark L Mitchell**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Plaintiff**

**Wendi Wilson**

represented by **Mark L Mitchell**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor Defendant**

**Da Fa Sjanghi Inc**

*doing business as*

IHop

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/29/2005	<a href="#">1</a>	COMPLAINT against Da Fa Sjanghi Inc (Filing fee \$ 0.) filed by Equal Employment Opportunity Commission.(Ifilmore, ) Additional attachment(s) added on 9/29/2005 (mmapps, ). (Entered: 09/29/2005)
09/29/2005		Summons Issued as to Da Fa Sjanghi Inc , filed.(Ifilmore, ) (Entered: 09/29/2005)
09/29/2005	<a href="#">2</a>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 1/12/2005 at 10:00 AM in Courtroom 702 before Magistrate Judge Stephen Smith. ( Signed by Judge David Hittner ) Parties notified. (Ifilmore, ) (Entered: 09/29/2005)

09/29/2005	<a href="#">3</a>	REDOCKETED FOR RENOTICING PURPOSE: ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 1/12/2006 at 10:00 AM in Courtroom 702 before Magistrate Judge Stephen Smith. ( Signed by Judge David Hittner ) Parties notified. (lfilmore, ) (Entered: 09/29/2005)
12/09/2005	<a href="#">4</a>	SUMMONS Returned Executed as to Leo Change, as Director of. Da Fa Sjanghi Inc served on 11/30/2005, answer due 12/20/2005, filed.(sguevara, ) (Entered: 12/14/2005)
01/09/2006	<a href="#">5</a>	CERTIFICATE OF INTERESTED PARTIES by Equal Employment Opportunity Commission, filed.(psmith, ) (Entered: 01/09/2006)
01/09/2006	<a href="#">6</a>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Equal Employment Opportunity Commission, filed.(psmith, ) (Entered: 01/09/2006)
01/12/2006	<a href="#">7</a>	Minute Entry for proceedings held before Judge Stephen Wm Smith. SCHEDULING CONFERENCE held on 1/12/2006. Scheduling order to be issued. Appearances: Rodolfo Lucio Sustaita.(ERO:R.Konieczny), filed.(rkonieczny) (Entered: 01/12/2006)
01/12/2006	<a href="#">8</a>	SCHEDULING ORDER: Trial Term: March/April 2007. ETT: 4 days. Jury trial Amended Pleadings due by 5/1/2006 Joinder of Parties due by 3/1/2006 Pltf Expert Witness List due by 4/3/2006 Deft Expert Witness List due by 5/1/2006 Discovery due by 10/31/2006 Dispositive Motion Filing due by 11/30/2006 Non-Dispositive Motion Filing due by 11/30/2006 Joint Pretrial Order due by 2/23/2007.( Signed by Judge Stephen Wm Smith ) Parties notified.(rkonieczny ) (Entered: 01/12/2006)
01/23/2006	<a href="#">9</a>	MOTION to Intervene by Mary Delaughter, Holly Hamilton, Erica Johnston, Laura Mendez, Wendi Wilson, filed. Motion Docket Date 2/13/2006. (Attachments: # <a href="#">1</a> Proposed Order)(jmarchand, ) (Entered: 01/23/2006)
02/20/2006	<a href="#">10</a>	ORDER granting <a href="#">9</a> Motion to Intervene .( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 02/22/2006)
02/20/2006	<a href="#">11</a>	INTERVENOR COMPLAINT against Da Fa Sjanghi Inc filed by Mary Delaughter, Holly Hamilton, Erica Johnston, Laura Mendez, Wendi Wilson.(chorace, ) (Entered: 02/23/2006)
02/23/2006	<a href="#">12</a>	MOTION to Extend Joinder of Parties Deadline by Mary Delaughter, Holly Hamilton, Erica Johnston, Laura Mendez, Wendi Wilson, filed. Motion Docket Date 3/15/2006. (Attachments: # <a href="#">1</a> Proposed Order)(chorace, ) (Entered: 02/23/2006)
02/24/2006	<a href="#">13</a>	ORDER, MOTIONS REFERRED to Magistrate Judge Stephen Wm Smith: <a href="#">12</a> MOTION for Extension of Time Joinder of Parties Deadline.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 02/27/2006)
03/07/2006	<a href="#">14</a>	Mail Returned Undeliverable as to attorney Mark L Mitchell re: <a href="#">10</a> Order on Motion to Intervene, filed. (ghassan, ) (Entered: 03/08/2006)
03/08/2006		Copy of Order #10 renoticed to Atty. Mark L. Mitchell, filed. (ghassan, ) (Entered: 03/08/2006)

03/15/2006	<a href="#">15</a>	Mail Returned Undeliverable as to attorney Mark L Mitchell re: <a href="#">13</a> Order, Motions Referred , filed. (ypippin, ) (Entered: 03/16/2006)
03/16/2006	<a href="#">16</a>	ORDER granting <a href="#">12</a> MOTION for Extension of Time for Joinder of Parties Deadline, New Parties to be joined, with leave of court, by 6/1/2006.( Signed by Judge Stephen Smith ) Parties notified.(djustice, ) (Entered: 03/16/2006)
02/19/2007	<a href="#">17</a>	ORDER that parties are to exchange all trial exhibits on or before February 28, 207.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 02/22/2007)
02/19/2007	<a href="#">18</a>	ORDER, Pretrial Conference set for 3/1/2007 at 10:00 AM in Courtroom 8A before Judge David Hittner.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 02/22/2007)
02/23/2007	<a href="#">19</a>	Proposed Pretrial Order by Equal Employment Opportunity Commission, filed. (Attachments: # <a href="#">1</a> voir dire# <a href="#">2</a> jury charge# <a href="#">3</a> exhibit list# <a href="#">4</a> witness list)(Sustaita, Rodolfo) (Entered: 02/23/2007)
02/23/2007	<a href="#">20</a>	Amended Proposed Pretrial Order by Equal Employment Opportunity Commission, filed. (Attachments: # <a href="#">1</a> Amended Jury Charge)(Sustaita, Rodolfo) Modified on 3/2/2007 (Itien, ). (Entered: 02/23/2007)
02/23/2007	<a href="#">21</a>	TRIAL BRIEF by Equal Employment Opportunity Commission, filed.(Sustaita, Rodolfo) (Entered: 02/23/2007)
03/01/2007	<a href="#">22</a>	Minute Entry for proceedings held before Judge David Hittner. Final PRETRIAL CONFERENCE held on 3/1/2007. Oral motion by Plaintiffs for Entry of Default Judgment heard and granted. Order to issue. Appearances: Rodolfo Lucio Sustaita, Kathy Megas(Court Reporter: Stephanie Carlisle-Neisser), filed.(ealexander, ) (Entered: 03/02/2007)
03/23/2007	<a href="#">23</a>	ORDER Setting Hearing on Motion Motion Hearing set for 4/2/2007 at 10:00 AM in Courtroom 8A before Judge David Hittner to address Plaintiff's Motion for Default Judgment.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 03/28/2007)
03/29/2007	<a href="#">24</a>	AMENDED ORDER Setting Hearing on Motion for Default Judgment Motion Hearing set for 4/23/2007 at 10:00 AM in Courtroom 8A before Judge David Hittner.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 03/30/2007)
04/23/2007	<a href="#">25</a>	SECOND AMENDED ORDER Setting Hearing on Motion for Default Judgment Motion Hearing set for 5/22/2007 at 10:00 AM in Courtroom 8A before Judge David Hittner.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) (Entered: 04/23/2007)
05/21/2007	<a href="#">26</a>	Agreed PROPOSED ORDER, filed. (Attachments: # <a href="#">1</a> Proposed Order Default Judgment Order)(Sustaita, Rodolfo) (Entered: 05/21/2007)
05/22/2007	<a href="#">27</a>	Minute Entry for proceedings held before Judge David Hittner. MOTION HEARING held on 5/22/2007 on Motion for Default Judgment. Testimony taken. Written order to issue. Appearances: Rodolfo Lucio Sustaita, Kathy Megas.(Court Reporter: Ed Reed), filed.(ealexander, ) (Entered: 05/22/2007)

05/22/2007		Plaintiff's Exhibits from the Default Judgment Hearing placed in brown expandable folder and sent to the filer room for retention in case of a notice of appeal, filed. (ealexander, ) (Entered: 05/22/2007)
05/22/2007	<a href="#">28</a>	ORDER ON PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT against Da Fa Sjanghi Inc. Case terminated on May 22, 2007.( Signed by Judge David Hittner ) Parties notified.(ealexander, ) Modified on 5/24/2007 (ealexander, ). (Entered: 05/23/2007)

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<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24