

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:05-cv-02945**

Equal Employment Opportunity Commission v. EGS Electrical
Group LLC et al
Assigned to: Magistrate Judge Stephen Smith
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 08/22/2005
Date Terminated: 05/24/2007
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Aimee Lynn McFerren**
EEOC
1919 Smith St
7th Floor
Houston, TX 77002
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LEAD ATTORNEY
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V.

Defendant

EGS Electrical Group LLC

represented by **Susan L. Bickley**
Abrams Scott & Bickley, L.L.P.
700 Louisiana
Ste 4000
Houston, Tx 77002-2727
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Defendant**Emerson Electrical Company***TERMINATED: 08/16/2006*represented by **Susan L. Bickley**

(See above for address)

LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/22/2005	1	COMPLAINT against EGS Electrical Group LLC, Emerson Electric Company (Filing fee \$ 250) filed by Equal Employment Opportunity Commission.(hlerma,) Additional attachment(s) added on 8/23/2005 (espencer,). (Entered: 08/22/2005)
08/22/2005	2	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 12/2/2005 at 01:00 PM in Courtroom 9F before Judge Nancy F. Atlas. (Signed by Judge Nancy F. Atlas) Parties notified. (hlerma,) (Entered: 08/22/2005)
08/22/2005		Summons Issued as to EGS Electrical Group LLC, Emerson Electric Company, EGS Electrical Group, LLD c/o Office of Texas Secretary of State, Emerson Electric Co. Joint Venture Owner of EGS Electrical Group LLC, filed.(hlerma,) (Entered: 08/22/2005)
08/23/2005		Fee waived re: 1 Complaint , filed. (agould,) (Entered: 08/23/2005)
08/23/2005	3	First AMENDED Original Complaint against EGS Electrical Group LLC, Emerson Electric Company filed by Equal Employment Opportunity Commission. Related document: 1 Complaint filed by Equal Employment Opportunity Commission.(cpeebles) (Entered: 08/24/2005)
09/13/2005	4	CERTIFICATE OF INTERESTED PARTIES by Equal Employment Opportunity Commission, filed.(Boutchee, Kathy) (Entered: 09/13/2005)
09/27/2005	7	FIRST AMENDED ANSWER to Amended Complaint with Jury Demand by EGS Electrical Group LLC, Emerson Electric Company, filed.(jmarchand,) (Entered: 09/29/2005)
09/28/2005	5	CERTIFICATE OF INTERESTED PARTIES by EGS Electrical Group LLC, Emerson Electric Company, filed.(psmith,) (Entered: 09/29/2005)
09/28/2005	6	ANSWER to Complaint with Jury Trial Demanded by EGS Electrical Group LLC, Emerson Electric Company, filed.(mkallie,) (Entered: 09/29/2005)
10/18/2005	8	Unopposed MOTION to Substitute Attorney Aimee L. McFerren in place of Kathy D. Boutchee by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/7/2005. (Attachments: # 1 Proposed Order)(McFerren, Aimee) (Entered: 10/18/2005)
10/19/2005	9	ORDER granting 8 Motion to Substitute Attorney Attorney Kathy D Boutchee terminated .(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner,) (Entered: 10/19/2005)

10/19/2005	10	SUMMONS Returned Executed. EGS Electrical Group LLC served on 9/15/2005, answer due 10/5/2005, filed.(espencer,) (Entered: 10/21/2005)
10/26/2005	11	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Equal Employment Opportunity Commission, filed. (Attachments: # 1 Defense counsel's signature)(McFerren, Aimee) (Entered: 10/26/2005)
11/04/2005	12	SUMMONS Returned Executed. EGS Electrical Group LLC served on 9/15/2005, answer due 10/5/2005, filed.(mkallie,) (Entered: 11/10/2005)
11/28/2005	13	SECOND AMENDED ANSWER to 3 Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by all defendants, filed. (jmarshand,) (Entered: 11/30/2005)
12/02/2005	14	MINUTE ENTRY ORDER: Pretrial conference held. Appearances: Stephanie Orr. Susan Louise Bickley, Aimee Lynn McFerren. ERO: Handley..Docket control order.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner,) (Entered: 12/05/2005)
12/02/2005	17	DOCKET CONTROL ORDER: ETT: 3-4.5 days. Jury Trial Amended Pleadings due by 2/28/2006; Joinder of Parties due by 2/28/2006; Pltf Expert Report due by 4/30/2006; Deft/Counter-Deft Expert Report due by 5/31/2006; Rebuttal Opinions from existing experts due by 6/14/2006; Discovery due by 7/31/2006; Dispositive Motion Filing due by 8/25/2006; All other pretrial motions due by 8/25/2006; Mediation due by 10/9/2006; Joint Pretrial Order due by 11/12/2006; Docket Call set for 11/17/2006 at 04:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(csonnier,) (Entered: 12/12/2005)
12/09/2005	15	PROPOSED AGREED PROTECTIVE ORDER re: 3 Amended Complaint/Counterclaim/Crossclaim etc., 1 Complaint, filed.(mkadlubowski,) (Entered: 12/09/2005)
12/09/2005	16	AGREED PROTECTIVE ORDER GRANTING 15 Proposed Order.(Signed by Judge Nancy F. Atlas) Parties notified.(csonnier,) (Entered: 12/12/2005)
01/05/2006	18	Second AMENDED Complaint against all defendants filed by Equal Employment Opportunity Commission. Related document: 3 Amended Complaint/Counterclaim/Crossclaim etc. filed by Equal Employment Opportunity Commission., 1 Complaint filed by Equal Employment Opportunity Commission.,(McFerren, Aimee) (Entered: 01/05/2006)
02/28/2006	19	NOTICE to Take Deposition of Glenn A. Johnson by all defendants, filed. (Bickley, Susan) (Entered: 02/28/2006)
02/28/2006	20	NOTICE to Take Deposition of Karen Barfield by all defendants, filed. (Bickley, Susan) (Entered: 02/28/2006)
02/28/2006	21	NOTICE to Take Deposition of April Harrison by all defendants, filed. (Bickley, Susan) (Entered: 02/28/2006)
05/31/2006	22	DESIGNATION OF EXPERT WITNESS LIST by all defendants, filed. (Attachments: # 1 Exhibit A)(Bickley, Susan) (Entered: 05/31/2006)

06/19/2006	23	OBJECTIONS to Notice of Oral Deposition of Dane Dreher with Subpoena Duces Tecum, filed by all defendants. (Bickley, Susan) (Entered: 06/19/2006)
06/19/2006	24	OBJECTIONS to Amended Notice of Oral Deposition of Jerry McQuade with Subpoena Duces Tecum, filed by all defendants. (Bickley, Susan) (Entered: 06/19/2006)
06/19/2006	25	OBJECTIONS to Notice of Oral Deposition of John Peterson with Subpoena Duces Tecum, filed by all defendants. (Bickley, Susan) (Entered: 06/19/2006)
06/22/2006	27	ORDER OF RECUSAL. Judge Nancy F. Atlas recused. Case reassigned to Judge Lynn N. Hughes and Lynn N. Hughes for all further proceedings.(Signed by Judge Nancy F. Atlas) Parties notified.(swhite) (Entered: 06/26/2006)
06/26/2006	26	Unopposed MOTION to Modify Scheduling Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 7/17/2006. (Attachments: # 1 Proposed Order)(McFerren, Aimee) (Entered: 06/26/2006)
06/27/2006	28	Order: Pretrial Conference set for 6/30/2006 at 02:00 PM in Room 11122 before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (dkelly,) (Entered: 06/27/2006)
06/27/2006	29	EMAIL from Susan Bickley re: request to move pretrial conference because of vacation, filed. (dkelly,) (Entered: 06/27/2006)
06/27/2006	30	Order Resetting Conference. Pretrial Conference reset for 7/31/2006 at 11:00 AM in Room 11122 before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (dkelly,) (Entered: 06/27/2006)
07/06/2006	31	NOTICE of attorney substitution by Equal Employment Opportunity Commission. Attorney Boutchee, Kathy D. added, filed. (Boutchee, Kathy) (Entered: 07/06/2006)
07/10/2006	32	OBJECTIONS to Amended Notice of Oral Deposition of John Peterson, filed by all defendants. (Bickley, Susan) (Entered: 07/10/2006)
07/19/2006	33	ORDER denying 26 Motion to Modify the scheduling order. The parties will discuss deadlines with the court at the conference of 7/31/2006.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 07/19/2006)
07/31/2006	34	CONFERENCE MEMORANDUM: Appearances: Susan L. Bickley, Kathy D Boutchee, Aimee Lynn McFerren, Stephanie Orr. Ct Reporter: J. Sanchez. By 8/01/2006, EGS must give the EEOC (a) a chart of the chain of authority from Barfield, Harrison, and Johnson up to John Peterson; and (b) the names of the inside salesmen from January 1, 2001, to present with their territories, product lines, sex, tenure, pay data, and promotions. Order to be entered. Pretrial Conference set for 8/15/2006 at 03:00 PM in Room 11122 before Judge Lynn N. Hughes.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 08/01/2006)
08/15/2006	35	CONFERENCE MEMORANDUM: Appearances: Susan L. Bickley, Kathy D Boutchee, Aimee Lynn McFerren, Stephanie Orr. Ct Reporter: S. Carlisle. Order to be entered. Pretrial Conference set for 9/5/2006 at 04:00 PM in Room 11122 before Judge Lynn N. Hughes.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 08/16/2006)

08/15/2006	36	INTERLOCUTORY JUDGMENT: On the oral motion of EGS, Emerson Electric Company is dismissed with prejudice.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 08/16/2006)
08/15/2006	37	ORDER: By 8/16/06, EGS must give the EEOC a hierarchy diagram that explains its relation to Emerson Electric. By 8/18/06, the EEOC must give EGS Philippe's statement. By 9/1/06, the parties must depose Morris and Vann.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 08/16/2006)
09/05/2006	39	CONFERENCE MEMORANDUM: Appearances: Susan L. Bickley, Kathy D Boutchee, Aimee Lynn McFerren, Stephanie Orr. Ct Reporter: A. Manley. Order to be entered.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 09/08/2006)
09/08/2006	38	CONSENT to Jurisdiction by US Magistrate Judge by all parties, filed.(Bickley, Susan) (Entered: 09/08/2006)
09/08/2006	40	ORDER following conference. (Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 09/08/2006)
09/08/2006	41	ORDER TRANSFERRING CASE. Case reassigned to Judge Stephen Smith for all further proceedings. Judge Lynn N. Hughes no longer assigned to the case.(Signed by Judge Lynn N. Hughes) Parties notified.(dkelly,) (Entered: 09/11/2006)
09/12/2006	42	NOTICE of Hearing. Parties notified Status Conference set for 9/28/2006 at 02:00 PM in Courtroom 702 before Magistrate Judge Stephen Wm Smith, filed. (jmarchand) (Entered: 09/12/2006)
09/28/2006	43	Minute Entry for proceedings held before Judge Stephen Wm Smith. STATUS CONFERENCE held on 9/28/2006. Scheduling order issued. Appearances:Stafanie Orr. Susan L. Bickley, Kathy D Boutchee, Aimee Lynn McFerren.(ERO:Yes), filed.(jmarchand) (Entered: 09/29/2006)
09/28/2006	44	SCHEDULING ORDER: ETT: 5 days. Jury trial. Dispositive Motion Filing due by 1/22/2007. Non-Dispositive Motion Filing due by 1/22/2007. Jury Trial set for 3/26/2007 at 09:30 AM in Courtroom 702 before Magistrate Judge Stephen Wm Smith.(Signed by Judge Stephen Wm Smith) Parties notified.(jmarchand) (Entered: 09/29/2006)
09/29/2006	45	Docket Control ORDER: Dispositive Motion Filing due by 1/22/2007 Non-Dispositive Motion Filing due by 1/22/2007 Mediation due by 1/31/2007 Joint Pretrial Order due by 3/12/07.(Signed by Judge Stephen Smith) Parties notified.(smurdock,) Modified on 9/29/2006 (smurdock,). (Entered: 09/29/2006)
10/17/2006	46	Return of Service Executed as to Jeff Phillippe on 9/29/2006 re: Subpoena, filed.(ejuarez,) Modified on 10/23/2006 (Itien,). (Entered: 10/19/2006)
01/22/2007	47	First MOTION for Extension of Time to File Dispositive Motions by EGS Electrical Group LLC, filed. Motion Docket Date 2/12/2007. (Attachments: # 1)(Bickley, Susan) (Entered: 01/22/2007)
01/23/2007	48	CERTIFICATE of Conference re: 47 First MOTION for Extension of Time to File Dispositive Motions by EGS Electrical Group LLC, filed.(Bickley, Susan)

		(Entered: 01/23/2007)
01/26/2007	49	MOTION for Summary Judgment by EGS Electrical Group LLC, filed. Motion Docket Date 2/15/2007. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E (Part 1 of 3)# 6 Exhibit E (Part 2 of 3)# 7 Exhibit E (Part 3 of 3)# 8 Exhibit F# 9 Exhibit G (Part 1 of 3)# 10 Exhibit G (Part 2 of 3)# 11 Exhibit G (Part 3 of 3)# 12 Exhibit H# 13 Exhibit I# 14 Exhibit J# 15 Exhibit K# 16 Proposed Order)(Bickley, Susan) Modified on 1/30/2007 (ledwards,). (Entered: 01/26/2007)
02/02/2007	50	ORDER granting 47 Motion for Extension of Time. Dispositive motions to be filed by 1/26/2007.(Signed by Judge Stephen Wm Smith) Parties notified.(jmarchand) (Entered: 02/02/2007)
02/14/2007	51	Unopposed MOTION for Extension of Time Respond to Motion for Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 3/6/2007. (Attachments: # 1 Proposed Order)(Boutchee, Kathy) (Entered: 02/14/2007)
02/16/2007	52	ORDER granting 51 Motion for Extension of Time. Plaintiff to have through 2/20/2007 to file response to Defendant's Motion for Summary Judgment.(Signed by Judge Stephen Wm Smith) Parties notified.(jmarchand) Additional attachment(s) added on 3/14/2007 (rwestmoreland,). (Entered: 02/16/2007)
02/21/2007	53	First RESPONSE to 49 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Proposed Order)(McFerren, Aimee) Additional attachment(s) added on 3/26/2007 (Itien,). Additional attachment(s) added on 3/26/2007 (Itien,). Additional attachment(s) added on 3/26/2007 (Itien,). (Entered: 02/21/2007)
02/21/2007	54	Corrected RESPONSE to 49 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Proposed Order # 2 Exhibit # 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Exhibit # 8 Exhibit # 9 Exhibit # 10 Exhibit # 11 Exhibit # 12 Exhibit # 13 Exhibit # 14 Exhibit # 15 Exhibit # 16 Exhibit # 17 Exhibit # 18 Exhibit)(McFerren, Aimee) (Entered: 02/21/2007)
02/21/2007	55	Additional Exhibits to 54 Memorandum in Response to 49 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Exhibit # 8 Exhibit # 9 Exhibit # 10 Exhibit # 11 Exhibit # 12 Exhibit # 13 Exhibit # 14 Exhibit # 15 Exhibit # 16 Exhibit # 17 Exhibit # 18 Exhibit # 19 Exhibit # 20 Exhibit # 21 Exhibit)(McFerren, Aimee) Modified on 2/26/2007 - linked to #54 (Itien,). (Entered: 02/21/2007)
02/21/2007	56	MOTION for Extension of Time File Response to Motion for Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 3/13/2007. (Attachments: # 1 Proposed Order)(Boutchee, Kathy) (Entered: 02/21/2007)
02/21/2007	57	CERTIFICATE of Conference re: 56 MOTION for Extension of Time File Response to Motion for Summary Judgment by Equal Employment Opportunity Commission, filed.(Boutchee, Kathy) (Entered: 02/21/2007)

02/22/2007	58	ORDER granting 56 Motion for Extension of Time.(Signed by Judge Stephen Wm Smith) Parties notified.(jmarchand) (Entered: 02/22/2007)
02/28/2007	59	Unopposed MOTION for Continuance Docket Control Order Deadlines by Equal Employment Opportunity Commission, filed. Motion Docket Date 3/20/2007. (Attachments: # 1 Proposed Order)(Boutchee, Kathy) (Entered: 02/28/2007)
03/09/2007	60	Minute Entry for proceedings held before Judge Stephen Wm Smith. TELEPHONE CONFERENCE held on 3/9/2007. New scheduling order issued. Appearances: Susan L. Bickley, Kathy D Boutchee, Aimee Lynn McFerren.(ERO:B. Goolsby), filed.(jmarchand) (Entered: 03/09/2007)
03/09/2007	61	ORDER granting 59 Unopposed MOTION for Continuance Docket Control Order Deadlines Joint Pretrial Order due by 6/8/2007. Jury Trial set for 6/25/2007 at 09:30 AM in Courtroom 702 before Magistrate Judge Stephen Wm Smith.(Signed by Judge Stephen Wm Smith) Parties notified.(jmarchand) (Entered: 03/09/2007)
03/21/2007	62	MEMORANDUM AND ORDER denying 49 MOTION for Summary Judgment. Trial settings remain in effect.(Signed by Judge Stephen Wm Smith) Parties notified. (jmarchand) (Entered: 03/21/2007)
04/04/2007	63	MOTION for Reconsideration of 49 MOTION for Summary Judgment by EGS Electrical Group LLC, filed.Motion Docket Date 4/24/2007. (Attachments: # 1 Exhibit Exhibit A# 2 Proposed Order Order Granting Motion for Reconsideration)(Bickley, Susan) (Entered: 04/04/2007)
04/24/2007	64	MEMORANDUM in Opposition to Defendant's 63 MOTION for Reconsideration and MOTION to Strike Exhibit A to Defendant's Motion for Reconsideration, filed by Equal Employment Opportunity Commission. Motion Docket Date 5/14/2007. (Attachments: # 1 Proposed Order)(McFerren, Aimee) Motion to Strike added on 4/27/2007 (Itien,). (Entered: 04/24/2007)
04/30/2007	65	MEMORANDUM AND ORDER denying 64 MOTION to Strike, 63 MOTION for Reconsideration of 49 MOTION for Summary Judgment. (Signed by Judge Stephen Wm Smith) Parties notified. (jmarchand) (Entered: 04/30/2007)
05/17/2007	66	Alternative Dispute Resolution Memorandum; case settled, filed.(sbyrum,) (Entered: 05/21/2007)
05/23/2007	67	Agreed MOTION for Entry of Order re: Consent Decree by Equal Employment Opportunity Commission, filed. Motion Docket Date 6/12/2007. (Attachments: # 1 Consent Decree# 2 Exhibit Ex. A to Consent Decree)(McFerren, Aimee) (Entered: 05/23/2007)
05/24/2007	68	ORDER granting 67 Agreed MOTION for Entry of Order re: Consent Decree. Case terminated on 5/24/2007. (Signed by Judge Stephen Wm Smith) Parties notified. (jmarchand) (Entered: 05/24/2007)

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