

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:04-cv-03866**

Equal Employment Opportunity Commission v. Gilbert
Plumbing Company Inc
Assigned to: Judge Keith P Ellison
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 09/27/2004
Date Terminated: 02/14/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Rodolfo Lucio Sustaita**
EEOC
Senior Trial Attorney
1919 Smith St
7th Fl
Houston, TX 77002
713-209-3400
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Email: rudy.sustaita@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Gilbert Plumbing Company Inc

represented by **Wyley Hunter Shurtleff**
Davis and Davis
PO Box 3610
2900 Trophy Dr.
Bryan, TX 77805
979-776-9551
Fax: 979-776-2712
Email: hshurtleff@davisdavislaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/27/2004	<u>1</u>	COMPLAINT against Gilbert Plumbing Company Inc (Filing fee not required) filed by Equal Employment Opportunity Commission.(ncavazos,) (Entered: 09/29/2004)

09/27/2004	2	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons Initial Conference set for 1/21/2005 01:00 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified.(ncavazos,) (Entered: 09/29/2004)
09/27/2004		Summons Issued as to Gilbert Plumbing Company Inc , filed.(ncavazos,) (Entered: 09/29/2004)
10/21/2004	3	ANSWER to Complaint by Gilbert Plumbing Company Inc, filed.(mgore,) (Entered: 10/25/2004)
10/25/2004	4	SUMMONS Returned Executed. Gilbert Plumbing Company Inc served on 10/18/2004, answer due 11/7/2004, filed.(sfedele,) (Entered: 10/27/2004)
11/17/2004	5	CERTIFICATE OF INTERESTED PARTIES by Equal Employment Opportunity Commission, filed.(sfedele,) (Entered: 11/19/2004)
01/14/2005	6	ORDER, Deadlines terminated. the conference scheduled for January 21, 2005 at 1:00 p.m. is cancelled until rescheduled by further order of the court.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner,) (Entered: 01/14/2005)
01/17/2005	7	NOTICE of Reassignment. Pursuant to Special Order No. H-2005-1, this case is reassigned to Judge Keith P Ellison. Deadlines in scheduling orders remain in effect. All court settings are vacated , filed. (bgoolsby,) (Entered: 01/17/2005)
01/28/2005	8	REQUEST for Status Report, filed. (jholland,) (Entered: 01/28/2005)
02/08/2005	9	JOINT REPORT by Equal Employment Opportunity Commission, Gilbert Plumbing Company Inc, filed.(mgore,) (Entered: 02/10/2005)
03/04/2005	10	SCHEDULING ORDER: Pltf Expert Witness List due by 6/1/2005 Deft Expert Witness List due by 7/18/2005 Discovery due by 9/9/2005 Dispositive Motion Filing due by 10/17/2005 Trial set for 1/23/2006 at 08:30 AM before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified.(kmurphy,) (Entered: 03/04/2005)
07/22/2005	11	JOINT MOTION to Amend 10 Scheduling Order, by all parties, filed. Motion Docket Date 8/11/2005. (Attachments: # 1 Proposed Order)(kmurphy,) (Entered: 07/22/2005)
07/25/2005	12	ORDER granting 11 MOTION to Amend 10 Scheduling Order,, Pltf Expert Report due by 8/2/2005 Deft Expert Report due by 9/6/2005 Discovery due by 12/20/2005 Dispositive Motion Filing due by 1/10/2006 Joint Pretrial Order due by 2/21/2006 Jury Trial set for 3/6/2006 at 08:30 AM in Courtroom 8C before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified.(dhansen) (Entered: 07/27/2005)
12/02/2005	13	JOINT MOTION to Amend Scheduling Order by Equal Employment Opportunity Commission, Gilbert Plumbing Company Inc, filed. Motion Docket Date 12/22/2005. (Attachments: # 1 Proposed Order)(Itien,) (Entered: 12/05/2005)
12/05/2005	14	ORDER Non-Evidentiary Hearing set for 12/8/2005 at 11:00 AM in Room 8631 before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified.(svaught,) (Entered: 12/05/2005)

12/08/2005	15	Minute Entry for proceedings held before Judge Keith P Ellison. Proceedings held on 12/8/2005. The Court did not grant a trial continuance, but extended the discovery deadline to January 20, 2006 and extended the dispositive motions deadline to January 27, 2006. An Order will be entered extending these dates. Appearances: Wyley Hunter Shurtleff and Rodolfo Lucio Sustaita (via telephone)(Court Reporter: Ed Reed)(Law Clerk: Sarah Sulkowski) (Judicial Asst: Lynda Lerma), filed.(llerma,) (Entered: 12/12/2005)
12/12/2005	16	SCHEDULING ORDER: Discovery due by 1/20/2006 Dispositive Motion Filing due by 1/27/2006.(Signed by Judge Keith P Ellison) Parties notified.(svaught) (Entered: 12/12/2005)
01/27/2006	17	MOTION for Summary Judgment by Gilbert Plumbing Company Inc, filed. Motion Docket Date 2/16/2006. (espencer,) Additional attachment(s) added on 1/30/2006 (espencer,). (Entered: 01/30/2006)
02/07/2006	18	UNOPPOSED MOTION for Additional Time to Respond by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/27/2006. (Attachments: # 1 Proposed Order)(mkallie,) (Entered: 02/08/2006)
02/08/2006	19	ORDER granting 18 Motion for Extension of Time . The Commission shall respond to Defendant's Motion by not later than seven days after the current response deadline.(Signed by Judge Keith P Ellison) Parties notified.(bthomas,) (Entered: 02/08/2006)
02/14/2006	20	CONDITIONAL ORDER OF DISMISSAL: The Court has been informed partis have reached a settlement; this case is DISMISSED without prejudice subject to reinstatement within 60 days. The pending 17 MOTION for Summary Judgment is DENIED as Moot.(Signed by Judge Keith P Ellison) Parties notified.(psmith,) (Entered: 02/14/2006)
03/30/2006	21	RETURN of Service Executed as to Allen Mielke on 1/17/06 re: Subpoena, filed.(jbradford,) (Entered: 03/30/2006)
04/11/2006	22	CONSENT DECREE .(Signed by Judge Keith P Ellison) Parties notified.(svaught) (Entered: 04/11/2006)
04/11/2006	23	FINAL JUDGMENT .(Signed by Judge Keith P Ellison) Parties notified.(llerma) (Entered: 04/12/2006)
04/11/2006	24	JOINT MOTION for Approval of and Enter a Consent Decree in Resolution of Suit by Equal Employment Opportunity Commission, Gilbert Plumbing Company Inc, filed. Motion Docket Date 5/1/2006. (Attachments: # 1 Proposed Order)(sguevara,) (Entered: 04/12/2006)

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