

CLOSED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Corpus Christi)  
CIVIL DOCKET FOR CASE #: 2:03-cv-00331**

Equal Employment v. Key Energy Services  
Assigned to: Judge Janis Graham Jack  
Demand: \$0  
Cause: 42:1981 Civil Rights

Date Filed: 09/04/2003  
Date Terminated: 06/21/2004  
Jury Demand: Defendant  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Judith Georgann Taylor**  
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V.

**Defendant**

**Key Energy Services, Inc.**

represented by **Teresa L DeFord**  
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1450 Lake Robbins Dr  
Ste 300  
The Woodlands, TX 77381  
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**Intervenor Defendant**

**Key Energy Services, Inc.**

**Interested Party**

**Tina S Robinson**

represented by **Tina S Robinson**  
-not provided  
PRO SE

**Interested Party**

**Brooks Well Servicing Inc**

represented by **Brooks Well Servicing Inc**  
-not provided  
PRO SE

**Movant**

**Tina Roberson**

represented by **Gay Ellen Gilson**  
Attorney at Law  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/04/2003	<a href="#">1</a>	COMPLAINT by Equal Employment Opportunity Commission filed; (dterrell) (Entered: 09/05/2003)
09/04/2003	<a href="#">2</a>	Order setting Initial Pretrial and Scheduling Conference on 1:15 10/21/03 before Judge Janis Graham Jack and Order to Disclose Interested Persons, filed. (dterrell) (Entered: 09/05/2003)
09/04/2003		SUMMONS issued for Key Energy Services (dterrell) (Entered: 09/05/2003)
09/12/2003	<a href="#">3</a>	DISCLOSURE OF INTERESTED PARTIES by Equal Employment , filed. (lcayce) (Entered: 09/12/2003)
09/24/2003	<a href="#">4</a>	MOTION to Intervene as a Plaintiff Under FRCP 24 by Tina Roberson by Tina Roberson, Motion Docket Date 10/14/03 [4-1] motion , filed. (lcayce) (Entered: 09/25/2003)
09/24/2003	<a href="#">5</a>	Intervenor's COMPLAINT by Tina Roberson against defendant Key Energy Services , filed (lcayce) (Entered: 09/25/2003)
09/29/2003	<a href="#">6</a>	RETURN OF SERVICE executed as to Key Energy Services 9/18/03 filed. Answer due on 10/8/03 for Key Energy Services (lcayce) (Entered: 09/30/2003)
10/08/2003	<a href="#">7</a>	ORIGINAL ANSWER to Complaint by Key Energy Services (Added attorney Teresa L De Ford), filed.; jury demand (lcayce) (Entered: 10/08/2003)
10/08/2003	<a href="#">8</a>	JOINT DISCOVERY/Case Management Plan by Key Energy Services , filed. (lcayce) (Entered: 10/08/2003)
10/08/2003	<a href="#">9</a>	CERTIFICATE OF INTERESTED PARTIES by Key Energy Services , filed. (lcayce) (Entered: 10/08/2003)
10/21/2003	<a href="#">10</a>	Initial Pretrial Conference held before Judge Janis Graham Jack Ct Reporter: Lori Cayce Tape Number: 1:16 - 1:54. Case called; appearance of counsel. Ms. Gilson stated that intervention is for a claim of retaliation not considered by EEOC. Ms. Gutierrez stated EEOC issued finding as to sexual harrassment and not as to retaliation. Ms. Gilson has contracted with deft to seek attorney fees. The Intervention was unopposed by EEOC and Ms. De Ford. Court inquires as to the termination of Ms. Roberson. Ms. DeFord states she was fired because she had been rude to a customer on the phone and her past performance. Ms. DeFord states Ms. Roberson had been reprimanded in two incidents. One of the incidents involved divulging confidential information; the second involved a workers compensation claim. Ms DeFord states KeyEnergy is an oil company that provides trucking business. Ms Gutierrez advised the court that a Q. Buentello is the person doing the sexual harrassment. Ms.

DeFord states that Mr. Buentello is longer with the company. Ms DeFord states there may be a fact question as to the supervisor. Ms. DeFord states that the reprimands were given by Mr. Glen Pavalik and acknowledged by another supervisor Noe Garza. Ms Roberson states Mr. Buentello was her immediate supervisor and Mr. Pavalik ,Bfuentello's Supervisor. Ms. Roberson advised the court on the incidents she was reprimanded. Ms. DeFord advised the court that the two names on the reprimands are Glen Pavalik and Noe Garza. Ms. Roberson stated she was not aware of the reprimand on the workman's compensation. Ms. Roberson states she worked eight years and did not use vulgar language. Ms . DeFord states she does not know who the customer was that complained about Ms. Roberson. Attorneys stated that they have done Rule 26 disclosures. Court orders attorneys to add the name of the customer , date and circumstances to Rule 26 Disclosures. Ms. Gutierrez advised the court that they offered to mediate to the company, there has been mediation and it was not successful. Ms. Gutierrez initial demand was \$167,000.00 Dollars, Ms. Gutierrez states offer was for \$5,000.00. The job was not offered. Ms. DeFord states the job was not requested back. Ms. DeFord states a positive reprimand was discussed and discussed. Ms. DeFord states mediation was premature, Ms DeFord did not have enough information. Ms. DeFord states investigation has not shown any evidence of sexual harrassment.. Ms. Roberson states she notified Noe Garza , Glen Pavalik and Mr. Carroll of sexual harrassment in the last two years. Ms. Gutierrez states that Mr. Carroll and Mr. Pavalik assured Ms. Roberson the matter of sexual harrassment had been referred to the corporate Midland office and it was being taken care of and did not want her to go over them because it would look bad on the Alice Yard. Ms. DeFord states there was no communication to corporate office. Ms. Gutierrez states they have a witness statement that Robert Carroll conceded to Peggy Lee, employee in the Victoria office that it had been taken to the Midland office but that he could not do anything about it, after Ms. Roberson had been terminated. Ms. Lee is still working in the Victoria office. Ms. DeFord states that this is new information. No objections to the scheduling order. Ms. Gilson states she has not talked to Mr. Garza or Pavalik because they are management. Ms. Gilson states they have statements from other workers. Ms. Roberson's husband also worked for KeyEnergy and was terminated because of a reduction of force. Ms. Roberson states he was in equipment inventory. Ms. Roberson states the Alice yard is under investigation by the Texas Ranger. Ms. Roberson states a retired Texas Ranger about procedures regarding petty cash and equipment. Ms. Roberson states that John Chris was Regional Manager. Ms. DeFord states he was Area Manager. Ms. Roberson explains how she was fired. Ms. DeFord states much of what has been heard today is new information. Ms. DeFord states that co-workers, Noe Garza, Robert Carroll and Glen Pavalik have been interviewed and have denied any claims of sexual harrassment. Ms. Roberson states she has another work making less salary. Ms. DeLong states there was no reprimand for sexual harrassment because it had been denied. Ms. DeLong states another EEOC case is for race discrimination. Court signs scheduling order, exhibit order, general order and mediation order. Ms.

		Gutierrez states a concern of Texas Ranger regarding Glen Pavalik that Mr. Pavalik was told to sign whistle blower contract. Ms. Gutierrez states there is a concern if Mr. Pavalik is under contract not to talk. Ms. DeLong states she will obtain whatever Mr. Pavalik signed. Court signs order for intervention. Ms. Gutierrez states all documents will be available to Ms. DeFord. Ms. DeFord states she has received some information. Court adjourns. (lcayce) (Entered: 10/22/2003)
10/21/2003	<a href="#">11</a>	SCHEDULING ORDER setting Trial date 8:00 8/3/04; Final Pretrial Conference 8:30 8/2/04; Joint Pretrial order to be submitted on or before 3:00 7/23/04 ; Deadline for filing all dispositive motions 5/17/04 ; Joining of parties 11/28/03 ; Amending of pleadings 2/27/04 ; Discovery cutoff 5/28/04 ; before Judge Janis Graham Jack , entered. Parties notified. ( Signed by Judge Janis Graham Jack ) (lcayce) (Entered: 10/22/2003)
10/21/2003	<a href="#">12</a>	ORDER re: Exhibits , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 10/22/2003)
10/21/2003	<a href="#">13</a>	GENERAL ORDER , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 10/22/2003)
10/21/2003	<a href="#">14</a>	ORDER FOR REFERRAL TO MEDIATION mediation deadline is 6/11/04 , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 10/22/2003)
10/21/2003	<a href="#">15</a>	ORDER granting [4-1] motion to Intervene as a Plaintiff Under FRCP 24 by Tina Roberson , entered; The Court orders that Plaintiff-Intervenor Tina Roberson's Original Complaint be filed. Parties notified. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 10/22/2003)
01/12/2004	<a href="#">16</a>	NOTICE of appearance of counsel for Equal Employment by Judith Georgann Taylor, filed (pramirez) (Entered: 01/14/2004)
02/17/2004	<a href="#">17</a>	UNOPPOSED MOTION to substitute attorney Judith G. Taylor in place of Linda Gutierrez , wda for Linda Gutierrez to withdraw as attorney by Equal Employment, Motion Docket Date 3/8/04 [17-1] motion, 3/8/04 [17-2] motion , filed. (pramirez) Modified on 02/18/2004 (Entered: 02/18/2004)
02/19/2004	<a href="#">18</a>	ORDER granting [17-1] motion to substitute attorney Judith G. Taylor in place of Linda Gutierrez Added granting [17-2] motion for Linda Gutierrez to withdraw as attorney , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (pramirez) (Entered: 02/19/2004)
02/25/2004	<a href="#">19</a>	UNOPPOSED MOTION for leave to file First Amended Complaint by Tina Robinson, Motion Docket Date 3/16/04 [19-1] motion , filed. (pramirez) Modified on 02/26/2004 (Entered: 02/26/2004)
02/25/2004	<a href="#">20</a>	UNOPPOSED MOTION for leave of court to amend plaintiff's original complaint by Equal Employment, [20-1] motion , filed. (pramirez) (Entered: 02/26/2004)
02/27/2004	<a href="#">21</a>	NOTICE of appearance of counsel; attorney Jennifer Randall as co-

		counsel for Equal Employment, filed (pramirez) Modified on 03/03/2004 (Entered: 02/27/2004)
02/29/2004	<a href="#">22</a>	ORDER granting [20-1] motion for leave of court to amend plaintiff's original complaint , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (pramirez) (Entered: 03/01/2004)
02/29/2004	<a href="#">23</a>	FIRST AMENDED COMPLAINT by Equal Employment amending [1-1] complaint , filed. (pramirez) (Entered: 03/01/2004)
02/29/2004	<a href="#">24</a>	ORDER granting [19-1] motion for leave to file First Amended Complaint , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (pramirez) (Entered: 03/01/2004)
03/18/2004	<a href="#">25</a>	ORDER striking [23-1] amended complaint , entered; Parties notified. ( signed by Judge Janis Graham Jack ) (pramirez) (Entered: 03/18/2004)
03/23/2004	<a href="#">26</a>	FIRST AMENDED COMPLAINT by Equal Employment amending [1-1] complaint , filed. (pramirez) (Entered: 03/26/2004)
05/14/2004	<a href="#">27</a>	MOTION for partial summary judgment with brief in support by Equal Employment, Motion Docket Date 6/3/04 [27-1] motion , filed. (pramirez) (Entered: 05/14/2004)
05/17/2004	<a href="#">28</a>	MOTION for entry of default as to Key Energy Services , and for default judgment against Key Energy Services , and, alternatively, for judgment on pleadings by Tina Roberson, Motion Docket Date 6/6/04 [28-1] motion, 6/6/04 [28-2] motion, 6/6/04 [28-3] motion , filed. (lcayce) (Entered: 05/19/2004)
05/19/2004	<a href="#">29</a>	ANSWER by Key Energy Services to plaintiff-intervenor's first amended original complaint, filed.; jury demand (lcayce) (Entered: 05/20/2004)
05/20/2004	<a href="#">30</a>	AMENDED ANSWER to Complaint by Key Energy Services : amends [29-1] complaint answer , filed.; jury demand (lcayce) (Entered: 05/20/2004)
06/02/2004	<a href="#">31</a>	NOTICE of Hearing: reset joint pretrial order due for 3:00 07/16/04 , reset final pretrial conference for 8:30 7/23/04 before Judge Janis Graham Jack , reset jury selection/trial for 8:00 7/26/04 before Judge Janis Graham Jack , filed. (lcayce) (Entered: 06/02/2004)
06/02/2004		Deadline updated; reset pretrial order due for 3:00 7/16/04 (lcayce) (Entered: 06/02/2004)
06/08/2004	<a href="#">32</a>	JOINT ADVISORY TO THE COURT by Equal Employment, Key Energy Services, Tina Roberson , filed (lcayce) Modified on 06/09/2004 (Entered: 06/09/2004)
06/08/2004	<a href="#">33</a>	JOINT MOTION to enter consent decree by Equal Employment, Key Energy Services, Tina Roberson, Motion Docket Date 6/28/04 [33-1] motion , filed. (lcayce) (Entered: 06/09/2004)
06/13/2004	<a href="#">34</a>	CONSENT DECREE : granting [33-1] motion to enter consent decree , entered; Ordered, adjudged and decreed as follows: this Court has

		jurisdiction of the subject matter of this action and the parties, venue is proper, and all administrative prerequisites to the EEOC's filing of this action have been met. The parties stipulate to the Court's jurisdiction. This Consent Decree resolves all issues raised in the EEOC's complaint and in Tina S. Roberson's complaint-in-intervention. The EEOC and Tina S. Roberson waive further litigation of all issues raised in the above-referenced complaint. The EEOC expressly reserves its right, however, to process and litigate any other charges which may now be pending or may in the future be filed against defendant Key Energy. Parties notified. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 06/14/2004)
06/14/2004	<a href="#">35</a>	FINAL JUDGMENT ORDER ENTERING CONSENT DECREE , entered. Parties ntfd. ( signed by Judge Janis Graham Jack ) (lcayce) (Entered: 06/14/2004)
06/21/2004		Case closed (lcayce) (Entered: 06/23/2004)

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