

CLOSED, MEDIATION, MOTREF

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:06-cv-02738**

Equal Employment Opportunity Commission v. Lyondell-Citgo
Refining, LP
Assigned to: Judge Ewing Werlein, Jr
Cause: 42:12188 American Disabilities Act of 1990

Date Filed: 08/24/2006
Date Terminated: 04/09/2008
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Defendant

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Aimee Lynn McFerren**
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TERMINATED: 07/11/2007
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V.

Defendant

Lyondell-Citgo Refining, LP

represented by **Ethel J Johnson**
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Date Filed	#	Docket Text
08/24/2006	1	COMPLAINT against Lyondell-Citgo Refining, LP (Filing fee \$ 350) filed by Equal Employment Opportunity Commission.(smurdock,) Additional attachment(s) added on 8/24/2006 (hlerma,). (Entered: 08/24/2006)
08/24/2006		Summons Issued as to Lyondell-Citgo Refining, LP , filed.(smurdock,) (Entered: 08/24/2006)
08/24/2006	2	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 12/29/2006 at 03:00 PM in Room 11521 before Judge Ewing Werlein, Jr. (Signed by Judge Ewing Werlein, Jr) Parties notified. (smurdock,) (Entered: 08/24/2006)
08/28/2006		Fee waived re: 1 Complaint , filed. (agould,) (Entered: 08/28/2006)
09/06/2006	3	CERTIFICATE OF INTERESTED PARTIES by Equal Employment Opportunity Commission, filed.(McFerren, Aimee) (Entered: 09/06/2006)
09/19/2006	4	ANSWER to Complaint by Lyondell-Citgo Refining, LP, filed.(ledwards,) (Entered: 09/20/2006)
09/29/2006	5	SUMMONS Returned Executed. Lyondell-Citgo Refining, LP served on 8/31/2006, answer due 9/20/2006, filed.(sbyrum,) (Entered: 10/02/2006)
12/19/2006	6	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Lyondell-Citgo Refining, LP, filed.(Miscovich, Jennifer) (Entered: 12/19/2006)

12/19/2006	7	CERTIFICATE OF INTERESTED PARTIES by Lyondell-Citgo Refining, LP, filed.(Miscovich, Jennifer) (Entered: 12/19/2006)
12/29/2006	8	DOCKET CONTROL ORDER: Deft Expert Witness List due by 7/16/2007; Discovery due by 11/30/2007; Dispositive Motion Filing due by 1/11/2008; Joinder of Parties due by 5/18/2007; Joint Pretrial Order due by 4/15/2008; Non-Dispositive Motion Filing due by 1/11/2008; Pltf Expert Witness List due by 5/31/2007; Docket Call set for 5/2/2008 at 04:00 PM in Fifth Circuit Courtroom 11-D before Judge Ewing Werlein, Jr.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 01/02/2007)
01/02/2007	9	MINUTE ENTRY ORDER: Initial Pretrial Conference held. Appearances: Aimee Lynn McFerren, Jennifer Lynn Miscovich. Docket control order entered. The parties will complete all discovery required for purposes of ADR, including mediation, within 90 days and no later than 3/29/07 will advise the Court of a mediator they jointly agree that this case can be referred for mediation.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 01/02/2007)
03/28/2007	10	STATUS REPORT by Lyondell-Citgo Refining, LP, filed.(Miscovich, Jennifer) (Entered: 03/28/2007)
04/04/2007		***Party Nancy L Huston added. (jhancock) (Entered: 04/04/2007)
04/04/2007	11	MEDIATION ORDER.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 04/04/2007)
06/05/2007	12	Alternative Dispute Resolution STATUS REPORT by Equal Employment Opportunity Commission. Have parties agreed to mediate? yes. Mediation will occur July 2007. Name of mediator: Nancy Huston, filed. (Attachments: # 1 Exhibit A# 2 Exhibit B)(McFerren, Aimee) (Entered: 06/05/2007)
06/12/2007	13	ORDER Status Conference set for 6/20/2007 at 09:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy.(Signed by Judge Frances H Stacy) Parties notified.(bwhite,) (Entered: 06/12/2007)
06/15/2007	14	Alternative Dispute Resolution STATUS REPORT by Equal Employment Opportunity Commission. Have parties agreed to mediate? yes. Mediation will occur July 9, 2007. Name of mediator: Nancy Huston, filed.(McFerren, Aimee) (Entered: 06/15/2007)
06/19/2007	15	CLERKS NOTICE, to cancel Status Conference set for 6/20/07 @ 9:00 am. Parties notified., filed. (bwhite,) (Entered: 06/19/2007)
06/19/2007		***Deadlines terminated. (bwhite,) (Entered: 06/19/2007)
07/11/2007	26	NOTICE of attorney substitution by Equal Employment Opportunity Commission. Attorney Aimee Lynn McFerren terminated, filed. (esmith,) (Entered: 01/28/2008)
07/12/2007	16	STATUS REPORT by Lyondell-Citgo Refining, LP, filed.(Miscovich, Jennifer) (Entered: 07/12/2007)
01/11/2008	17	MOTION for Summary Judgment by Lyondell-Citgo Refining, LP, filed. Motion Docket Date 1/31/2008. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Proposed Order)(Johnson, Ethel) (Entered: 01/11/2008)

		01/11/2008)
01/12/2008	18	(STRICKEN PER DOC. 21) MOTION for Partial Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/1/2008. (Wilhite, Connie) Modified on 1/15/2008 (jhancock). (Entered: 01/12/2008)
01/12/2008	19	(STRICKEN PER DOC. 21) Exhibits to MOTION for Partial Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/1/2008. (Attachments: # 1 Exhibit A: Defendant's Answers to Interrogatories# 2 Exhibit B: Defendant's Responses to Requests for Production# 3 Exhibit C: Documents C-1 to C-6# 4 Exhibit C: Documents C-7 to C-15# 5 Exhibit D: Steve Aleman Deposition Excerpts# 6 Exhibit E: Laurie Reznak Deposition Excerpts# 7 Exhibit F: Nancy McConville Deposition Excerpts# 8 Exhibit G: Martha Armstrong Deposition Excerpts# 9 Exhibit H: George Hancock Deposition Excerpts# 10 Exhibit I: Dan Hennington Deposition Excerpts)(Wilhite, Connie) Modified on 1/15/2008 (jhancock). (Entered: 01/12/2008)
01/12/2008	20	PROPOSED ORDER re: 19 MOTION for Partial Summary Judgment, 18 MOTION for Partial Summary Judgment, filed.(Wilhite, Connie) (Entered: 01/12/2008)
01/15/2008	21	ORDER Striking Document re: 18 MOTION for Partial Summary Judgment, 19 Exhibits to Motion for Partial Summary Judgment.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 01/15/2008)
01/15/2008	22	MOTION for Extension of Time To File Motion for Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/4/2008. (Attachments: # 1 Exhibit A: Email Confirmation of MSJ Filing# 2 Exhibit B: Email Confirmation of MSJ Exhibits Filing# 3 Exhibit C: Email Confirmation of MSJ Order Filing# 4 Exhibit D: Affidavit of Connie K. Wilhite)(Wilhite, Connie) (Entered: 01/15/2008)
01/15/2008	23	EXHIBITS re: 22 MOTION for Extension of Time To File Motion for Summary Judgment by Equal Employment Opportunity Commission, filed. (Attachments: # 1 Exhibit A: Defendant's Answers to Interrogatories# 2 Exhibit Defendant's Responses to RFP's# 3 Exhibit C: Documents C-1 to C-6# 4 Exhibit D: Documents C-7 to C-15# 5 Exhibit Excerpts from Steve Aleman Deposition# 6 Exhibit E: Excerpts from Laurie Reznak Deposition# 7 Exhibit F: Excerpts from Nancy McConville Deposition# 8 Exhibit G: Excerpts from Martha Armstrong Deposition# 9 Exhibit H: Excerpts from George Hancock Deposition# 10 Exhibit I: Excerpts from Dan Hennington Deposition# 11 Proposed Order Granting MSJ)(Wilhite, Connie) (Entered: 01/15/2008)
01/24/2008	24	RESPONSE to 22 MOTION for Extension of Time To File Motion for Summary Judgment <i>Out of Time</i> , filed by Lyondell-Citgo Refining, LP. (Johnson, Ethel) (Entered: 01/24/2008)
01/25/2008	25	REPLY in Support of 22 MOTION for Extension of Time To File Motion for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit A: Declaration of Connie Wilhite)(Wilhite, Connie) (Entered: 01/25/2008)

01/28/2008	27	ORDER granting 22 Motion for Extension of Time.(Signed by Judge Frances H Stacy) Parties notified.(kosborne,) (Entered: 01/29/2008)
01/28/2008	28	MOTION for Partial Summary Judgment as to Liability and Defendant's Affirmative Defenses by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/19/2008. This is a duplicate of 18 and was re-filed as of this date per Order #27.(Itien,) (Entered: 01/29/2008)
01/28/2008	29	EXHIBITS re: 28 MOTION for Partial Summary Judgment as to Liability and Defendant's Affirmative Defenses by Equal Employment Opportunity Commission, filed. (Attachments: # 1 Exhibit A: Defendant's Answer to Interrogatories# 2 Exhibit B: Defendant's Responses to Requests for Production# 3 Exhibit C: Documents C-1 to C-6# 4 Exhibit C: Documents C-7 to C-15# 5 Exhibit D: Steve Aleman Deposition Excerpts# 6 Exhibit E: Laurie Reznak Deposition Excerpts# 7 Exhibit F: Nancy McConville Deposition Excerpts# 8 Exhibit G: Martha Armstrong Deposition Excerpts# 9 Exhibit H: George Hancock Deposition Excerpts# 10 Exhibit I: Dan Hennington Deposition Excerpts) This is a duplicate of 19 and was re-filed as of this date per Order #27.(Itien,) (Entered: 01/29/2008)
01/28/2008	30	PROPOSED ORDER re: 28 MOTION for Partial Summary Judgment as to Liability and Defendant's Affirmative Defenses, 29 Exhibits,, filed. This is a duplicate of 20 and was re-filed as of this date per Order #27.(Itien,) (Entered: 01/29/2008)
01/31/2008	31	RESPONSE in Opposition to 17 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit C: Documents# 2 Exhibit C, Pt. 2# 3 Exhibit D: Aleman Deposition# 4 Exhibit E: Reznak Deposition# 5 Exhibit F: McConville Deposition# 6 Exhibit G: Armstrong Deposition# 7 Exhibit H: Hancock Deposition# 8 Exhibit I: Hennington Deposition# 9 Exhibit J: M. Aleman Deposition# 10 Proposed Order)(Wilhite, Connie) (Entered: 01/31/2008)
02/19/2008	32	RESPONSE in Opposition to 28 MOTION for Partial Summary Judgment as to Liability and Defendant's Affirmative Defenses, filed by Lyondell-Citgo Refining, LP. (Ivey, Robert) (Entered: 02/19/2008)
02/20/2008	33	REPLY to Response to 17 MOTION for Summary Judgment, filed by Lyondell-Citgo Refining, LP. (Ivey, Robert) Linked to #17 on 2/28/2008 (Itien,). (Entered: 02/20/2008)
02/28/2008	34	REPLY to Response to 28 MOTION for Partial Summary Judgment and SUR-REPLY to Reply to Response to 17 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Supplement Tables of Contents & Authorities# 2 Exhibit K: Email# 3 Proposed Order Granting Leave)(Wilhite, Connie) Modified on 3/11/2008 (Itien,). (Entered: 02/28/2008)
02/29/2008	35	EXHIBITS re: 34 Reply in Support of Motion, by Equal Employment Opportunity Commission, filed.(Wilhite, Connie) (Entered: 02/29/2008)
03/18/2008	36	OBJECTIONS to 34 SUR-REPLY to Reply to Response to 17 MOTION for Summary Judgment, filed by Lyondell-Citgo Refining, LP. (Ivey, Robert) Linked

		to #17 on 3/20/2008 (Itien,). (Entered: 03/18/2008)
03/27/2008	37	RESPONSE to 36 Objections to 34 Sur-Reply to Reply to Reponse to 17 MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Wilhite, Connie) Linked to #17 on 4/1/2008 (Itien,). (Entered: 03/27/2008)
04/09/2008	38	MEMORANDUM AND ORDER granting 17 Motion for Summary Judgment; denying 28 Motion for Partial Summary Judgment.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 04/09/2008)
04/09/2008	39	FINAL JUDGMENT. Case terminated on 04/09/2008.(Signed by Judge Ewing Werlein, Jr) Parties notified.(jhancock) (Entered: 04/09/2008)

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