

CLOSED, ECF, KAPLAN

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:04-cv-02121**

Equal Employment Opportunity Commission v. Living Centers  
of Texas Inc  
Assigned to: Judge A. Joe Fish  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/30/2004  
Date Terminated: 08/05/2005  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **William C Backhaus**  
Equal Employment Opportunity  
Commission  
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*ATTORNEY TO BE NOTICED*

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V.

**Defendant**

**Mariner Health Care Inc**  
 TERMINATED: 11/01/2004  
 doing business as  
 Mariner Health Downtown  
 TERMINATED: 11/01/2004

**Defendant**

**Living Centers of Texas Inc**  
 doing business as  
 Mariner Health Downtown

represented by **Bryant S McFall**  
 Ogletree Deakins Nash Smoak & Stewart -  
 Dallas  
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 8117 Preston Rd  
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 bryant.mcfall@ogletreedeakins.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Provider**

**Maxel Bud Silverberg**

represented by **Maxel Bud Silverberg**  
 Law Office of Maxel (Bud) Silverberg  
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| <b>Date Filed</b> | <b>#</b>          | <b>Docket Text</b>  |
|-------------------|-------------------|---|
| 09/30/2004        | <a href="#">1</a> | COMPLAINT against Mariner Health Care Inc , filed by Equal Employment Opportunity Commission.(kdc, ) (Entered: 10/01/2004)                  |
| 09/30/2004        | <a href="#">2</a> | CERTIFICATE OF INTERESTED PERSONS by Equal Employment Opportunity Commission. (kdc, ) (Entered: 10/01/2004)                                 |
| 09/30/2004        | <a href="#">3</a> | Summons Issued as to Mariner Health Care Inc. (kdc, ) (Entered: 10/01/2004)   |
| 09/30/2004        |                   | ***Magistrate Judge Kaplan chosen by random selection to handle matters that may be referred in this case. (cxb, ) (Entered: 10/05/2004)    |
| 11/01/2004        | <a href="#">4</a> | FIRST AMENDED COMPLAINT against Living Centers of Texas Inc, filed by Equal Employment Opportunity Commission.(cxb, ) (Entered: 11/02/2004) |

|            |                    |  |
|------------|--------------------|--|
| 11/01/2004 | <a href="#">5</a>  | Designation of lead counsel/ENTRY OF APPEARANCE by William C Backhaus for Plaintiff Equal Employment Opportunity Commission. (cxb, ) (Entered: 11/02/2004)   |
| 12/28/2004 | <a href="#">6</a>  | ORIGINAL ANSWER to First Amended Complaint by Living Centers of Texas Inc.(cxb, ) (Entered: 12/29/2004)  |
| 01/05/2005 | <a href="#">7</a>  | STATUS REPORT ORDER: Status Report due by 1/26/2005. [see order for specifics] (Signed by Judge A. Joe Fish on 1/5/05) (cxb, ) (Entered: 01/05/2005)   |
| 01/25/2005 | <a href="#">8</a>  | JOINT STATUS REPORT by Living Centers of Texas Inc, Equal Employment Opportunity Commission. (cxb, ) (Entered: 01/26/2005)   |
| 02/14/2005 | <a href="#">9</a>  | SCHEDULING ORDER: This case is set for trial on thie court's four-week docket beginning 9/5/06. Amended Pleadings due by 5/16/2005; Discovery due by 12/31/2005; Pretrial Conference set for 9/1/2006 09:00 AM before Judge A. Joe Fish; Joinder of Parties due by 5/16/2005; Motions due by 10/28/2005; Proposed Pretrial Order due by 8/25/2006; Pretrial Materials due by 8/25/2006. [see order for specifics] (Signed by Judge A. Joe Fish on 2/14/05) (cxb, ) (Entered: 02/15/2005) |
| 02/14/2005 | <a href="#">10</a> | Order Regarding Intention to Administer Case Electronically - see order for specifics. (Signed by Judge A. Joe Fish on 2/14/05) (cxb, ) (Entered: 02/15/2005)  |
| 03/02/2005 | <a href="#">11</a> | Order Designating Case for ECF - see order for specifics. (Signed by Judge A. Joe Fish on 3/2/05) (epp, ) (Entered: 03/02/2005)  |
| 06/01/2005 | <a href="#">12</a> | ORDER REFERRING CASE to ADR. Type of ADR: mediation. Maxel B (Bud) Silverberg appointed. [see order for specifics] (Signed by Judge A. Joe Fish on 6/1/05) (cxb, ) (Entered: 06/02/2005)   |
| 07/01/2005 | <a href="#">13</a> | ORDER: The parties having advised the court that this case has been settled, it is ORDERED that the final judgment or order of dismissal be presented for entry by August 1, 2005. If it is not, then the case will be subject to dismissal. (Signed by Judge A. Joe Fish on 7/01/2005) (epp, ) (Entered: 07/01/2005)  |
| 07/07/2005 | <a href="#">14</a> | Alternative Dispute Resolution Summary filed by Maxel B (Bud) Silverberg. Prv Fee: \$150/hour/party. Disposition: Settled as a result of ADR.(cxb, ) (Entered: 07/08/2005)   |
| 08/05/2005 | <a href="#">15</a> | CONSENT DECREE.....Defendant agrees to pay monetary relief to Ms. Asadu, for all claims, in the gross sum of \$20,000 (\$5,000 of which shall be designated as wages and subject to withholding).....The parties to this Consent Decree agree to bear their own costs and attorney's fees associated with the above-referenced Complaint. [see order for specifics] (Signed by Judge A. Joe Fish on 8/5/05) (Attachments: # <a href="#">1</a> Closed Sheet)(cxb, ) (Entered: 08/05/2005) |

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