

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Corpus Christi)
CIVIL DOCKET FOR CASE #: 2:97-cv-00258**

Equal Employment Op v. Party Boat, Inc.
Assigned to: Chief Judge Hayden Head
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 05/02/1997
Date Terminated: 12/29/1997
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Robert Christan Pittard**
5710 IH-10 W
San Antonio, TX 78201
210-734-3599
Fax: 210-734-2730
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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Room 1009
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917-902-4450

Christopher Lage
EEOC
1801 L St NW
7th Fl
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202-663-4744

V.

Defendant

Party Boat, Inc.
doing business as
Dolphin Docks

represented by **Bob J Spann**
Bob J Spann & Associates
611 S Tanchhua
Corpus Christi, TX 78401
361-884-8221
Fax: 361-884-8533
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

F Van Huseman

Huseman, Dodson & Hummell
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 Ste 2100
 Corpus Christi, TX 78473-2707
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 TERMINATED: 12/27/1999
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/02/1997	1	COMPLAINT filed; (ssyler) (Entered: 05/06/1997)
05/02/1997	2	ORDER set initial scheduling conference for 1:15 9/16/97 before Judge Hayden W. Head Jr. , entered; Parties notified. (signed by Judge Hayden W. Head Jr.) (ssyler) (Entered: 05/06/1997)
05/09/1997		SUMMONS issued for Party Boat, Inc. (mserpa) (Entered: 05/09/1997)
08/04/1997	3	ANSWER to Complaint by Party Boat, Inc. (Added attorney F Van Huseman), filed. (mserpa) (Entered: 08/05/1997)
08/06/1997	4	RETURN OF SERVICE executed as to Party Boat, Inc. 7/17/97 filed Answer due on 8/6/97 for Party Boat, Inc. (mserpa) (Entered: 08/08/1997)
08/21/1997	5	NOTICE of attorney appearance for Equal Employment Op by Adela P Santos, filed (mserpa) (Entered: 08/22/1997)
09/11/1997	6	MOTION to substitute attorney at the Initial Pretrial and scheduling conference set for 9/16/97 at 1:15 p.m.by F Van Huseman attorney for defendant Party Boat, Inc., Motion Docket Date 10/1/97 [6-1] motion , filed. (ssyler) (Entered: 09/15/1997)
09/15/1997	7	ORDER granting [6-1] motion to substitute attorney Added , entered; Parties notified. (signed by Judge Hayden W. Head Jr.) Cliff Gordon substituted for Van Huseman at the IPTC. (mserpa) (Entered: 09/16/1997)
09/16/1997	8	Scheduling conference before Judge Hayden W. Head Jr. held before Judge Hayden W. Head Jr. Ct Reporter: ERO Lori Lopez Tape Number: 2/1990-2/3226. Case called. Court informs parties that they are limited to 7 depositions + 1 depo & no others except by permission of the Court. ETT: 3-4 days. Trial date: 3/9/98. Scheduling order signed. Excused. (mserpa) (Entered: 09/17/1997)
09/16/1997	9	REPORT of Planning Meeting (mserpa) (Entered: 09/17/1997)
09/16/1997	10	SCHEDULING ORDER setting Joining of parties 6/30/97, amending of pleadings 11/21/97 ; Expert witness list submitted by 10/24/97 ; Discovery cutoff 12/19/97 ; Deadline for filing all dispositive motions 12/19/97 ; Pretrial order to be submitted on or before 3:00 2/27/98 ; Docket call deadline 8:30 3/6/98 ; Trial date deadline 9:00 3/9/98 ; set jury selection for 2:00 3/9/98 before Judge Hayden

		W. Head Jr. before Judge Hayden W. Head Jr. , entered. Parties notified. ; (Signed by Judge Hayden W. Head Jr.) (mserpa) (Entered: 09/17/1997)
09/16/1997		Deadline updated; set jury selection for 9:00 3/9/98 before Judge Hayden W. Head Jr. (mserpa) (Entered: 09/17/1997)
10/31/1997	11	AMENDED COMPLAINT by Equal Employment Op , (Answer due 11/10/97 for Party Boat, Inc.) amending [1-1] complaint , filed. (fmrempp) (Entered: 11/03/1997)
12/29/1997	12	CONSENT DECREE, entered; Parties notified (signed by Judge Hayden W. Head Jr.) (mserpa) (Entered: 12/30/1997)
12/29/1997		Case closed (fmrempp) (Entered: 12/30/1997)
08/26/1999	13	MOTION to enforce Consent Decree , and for contempt by Equal Employment Op, Motion Docket Date 9/15/99 [13-1] motion, 9/15/99 [13-2] motion , filed. (fmrempp) (Entered: 08/26/1999)
11/05/1999	14	NOTICE of Hearing: Motion hearing set for 2:00 11/29/99 for [13-1] motion to enforce Consent Decree before Judge Hayden W. Head Jr. , filed. (fmrempp) (Entered: 11/08/1999)
11/16/1999	15	DESIGNATION by Equal Employment Op designating Robert Christan Pittard as attorney in charge, filed. (fmrempp) (Entered: 11/19/1999)
11/22/1999	16	SUPPLEMENT to [13-1] motion to enforce Consent Decree, [13-2] motion for contempt by Equal Employment Op , filed. (fmrempp) (Entered: 11/23/1999)
11/23/1999	17	Tele-conference held before Judge Hayden W. Head Jr. Ct Reporter: Genay Rogan Tape Number: 2A. Case called. Appearances made. Court advises he doesn't think dft. has been given adequate notice. Court will prepare order setting date on motion for contempt. Court advises Pittard it will be up to him to serve order. Court advises Mr. Huseman & Spann to file motions to withdraw as attys. Court asks Mr. Huseman who officers of Party Boat are. Hearing will be set in January 2000. Court advises Mr. Spann that he should file statement that he does not represent them. Adjourned. (fmrempp) (Entered: 11/29/1999)
11/23/1999	19	ORDER to show cause , entered; dft. ordered to appear 01/27/00 and show cause why it should not be held in contempt. Dft. to enter appearance by written response in accordance with Rules of Civil Procedure upon service of this order. Parties notified. (signed by Judge Hayden W. Head Jr.) (fmrempp) (Entered: 11/29/1999)
11/24/1999	18	NOTICE of Hearing: Motion hearing set for 1:15 1/27/00 for [13-1] motion to enforce Consent Decree before Judge Hayden W. Head Jr. , filed. (fmrempp) (Entered: 11/29/1999)
11/24/1999	20	MOTION for Van Huseman to withdraw as attorney by Party Boat, Inc. F Van Huseman for defendant Party Boat, Inc., Motion Docket Date 12/14/99 [20-1] motion , filed. (fmrempp) (Entered: 11/30/1999)
12/09/1999	21	NOTICE of Hearing: Motion hearing set for 1:15 2/3/00 for [13-1] motion to enforce Consent Decree before Judge Hayden W. Head Jr. , filed. (fmrempp) (Entered: 12/10/1999)

12/27/1999	22	ORDER granting [20-1] motion for Van Huseman to withdraw as attorney , entered; Parties notified and copy mailed to dft. at address shown in D.E. #20 via CM/RRR. (signed by Judge Hayden W. Head Jr.) (fmrem) (Entered: 12/28/1999)
02/23/2000	23	Motion hearing re: [13-1] motion to enforce Consent Decree Motion hearing held;, [13-2] motion for contempt Ct Reporter: Genay Rogan Tape Number: 1/1180-1223. Cae called. Pltff. atty. moves to dismiss w/o prejudice so he may continue to investigate who true party is. Court grants oral motion. Pltff. atty. will mail written motion to dismiss. Adjourned. (fmrem) (Entered: 02/24/2000)
02/24/2000	24	ORDER granting EEOC's motion to dismiss w/o prejudice its motion to enforce consent decree and for contempt, dismissing [13-1] motion to enforce Consent Decree dismissing [13-2] motion for contempt , entered; Parties notified. (signed by Judge Hayden W. Head Jr.) (fmrem) (Entered: 02/25/2000)
02/25/2000		Received original and one copy of proposed order. Routed to case manager j.a. (fmrem) (Entered: 02/25/2000)
12/13/2000		WRIT of execution issued. Two certified copies delivered to USM. (fmrem) Modified on 12/13/2000 (Entered: 12/13/2000)
12/18/2000	25	Advisory to the Court on Continuing Jurisdiction Pursuant to the Consent Decree by Equal Employment Op , filed (fmrem) (Entered: 12/19/2000)
02/16/2001	26	RETURN OF SERVICE executed as to Party Boat, Inc. 2/14/01 re: writ of execution, filed (fmrem) (Entered: 02/16/2001)
10/11/2001	27	MOTION to Enforce Consent Decree Against Successor-in-Interest to Defendant by Equal Employment Op Robert Christan Pittard for plaintiff Equal Employment Op, Motion Docket Date 10/31/01 [27-1] motion , filed. Exhibits consist primarily of discovery material - NOT IMAGED. (fmrem) Modified on 10/12/2001 (Entered: 10/12/2001)
11/28/2001	28	NOTICE of Hearing: Motion hearing set for 4:00 12/6/01 for [27-1] motion to Enforce Consent Decree Against Successor-in-Interest to Defendant before Judge Hayden W. Head Jr , filed. (fmrem) (Entered: 11/30/2001)
12/06/2001	29	PLEA TO THE JURISDICTION by Party Boat, Inc. , filed (drodrigues) (Entered: 12/06/2001)
12/06/2001	30	Motion hearing re: Ct Reporter: Genay Rogan Tape Number: 4/915-4/2283. Case called. Appearances made. Discussion of evidence. Mr. Spann says he would like to consider having a jury trial, but does not want to decide that now. Court says he will not give them a jury trial. The amount in question is \$12,000. An agreed fact by both sides is that Party Boats has gone out of business. A non-jury trial is set on 2/28/02 at 9:00 a.m. The Court orders a modified pretrial order be filed no later than 2/15/02 for non-jury trial. If there is a dispute on the law, the court orders that a memo be filed. Adjourned. (drodrigues) (Entered: 12/10/2001)
12/06/2001	31	NOTICE of Hearing: set non-jury trial for 9:00 2/28/02 before Judge Hayden W. Jr , filed. (drodrigues) (Entered: 12/10/2001)
01/04/2002	32	NOTICE of Hearing: reset bench trial for 9:00 3/14/02 before Judge Hayden W. Head Jr , filed. (drodrigues) (Entered: 01/07/2002)

01/25/2002	33	NOTICE of Hearing: reset bench trial for 9:00 3/28/02 before Judge Hayden W. Head Jr , filed. (drodrigues) (Entered: 01/28/2002)
02/01/2002	34	AGREED MOTION to extend time for filing of joint pre-trial order and briefs by Equal Employment Op , filed. (drodrigues) (Entered: 02/01/2002)
02/10/2002	35	ORDER granting [34-1] agreed motion to extend time for filing of joint pre-trial order and briefs set joint pretrial order due for 3/8/02 , set briefs due for 3/8/02 , entered; Parties notified. (signed by Judge Hayden W. Head Jr) (drodrigues) (Entered: 02/12/2002)
03/08/2002	37	JOINT PRETRIAL ORDER, filed. (drodrigues) (Entered: 03/12/2002)
03/11/2002	36	MOTION for summary judgment by Party Boat, Inc. Bob J Spann for defendant Party Boat, Inc., Motion Docket Date 3/31/02 [36-1] motion , filed. (drodrigues) (Entered: 03/12/2002)
03/18/2002	38	MOTION to dismiss Dolphin Dock, Inc.'s Motion for Summary Judgment by Equal Employment Op Robert Christan Pittard for plaintiff Equal Employment Op, Motion Docket Date 4/7/02 [38-1] motion , filed. (drodrigues) (Entered: 03/18/2002)
03/20/2002	39	ORDER denying [29-3] motion to dismiss denying [36-1] motion for summary judgment denying as moot [38-1] motion to dismiss Dolphin Dock, Inc.'s Motion for Summary Judgment evidentiary hearing before Judge Hayden W. Head Jr set for 9:00 3/28/02 for [27-1] motion to Enforce Consent Decree Against Successor-in-Interest to Defendant , entered; Parties notified. (signed by Judge Hayden W. Head Jr) (fmrempp) (Entered: 03/22/2002)
03/22/2002	40	MOTION to continue by Party Boat, Inc. Bob J Spann for defendant Party Boat, Inc., Motion Docket Date 4/11/02 [40-1] motion , filed. (fmrempp) (Entered: 03/22/2002)
03/22/2002	40	NOTICE of Summary Judgment, Etc. filed by Party Boat, Inc. (fmrempp) (Entered: 03/22/2002)
03/22/2002	41	RESPONSE by Party Boat, Inc. to [38-1] motion to dismiss Dolphin Dock, Inc.'s Motion for Summary Judgment , filed. (fmrempp) (Entered: 03/22/2002)
03/25/2002	42	ORDER denying [40-1] motion to continue , entered; Parties notified. (signed by Judge Hayden W. Head Jr) (drodrigues) (Entered: 03/26/2002)
03/28/2002	43	Motion hearing Ct Reporter: Genay Rogan Tape Number: Digital. Case called. Appearances made. Parties advise they were unable to settle the case. Recess. Recall. Parties advise the matter cannot be resolved. The Court advises there is no need for opening statements. PW #1-Michael Gutersloh. Recess. Recall. Continued examination of PW #1. PW #2-Dean Gulley. PW #3-Tim Oestreich. PW #4-Paul Dirk. Recess. Recall. Continued examination of PW #4. Recess. Recall. Continued examination of PW #4. Pltff rests. DW #1-Robert L. Ressor. DW #2-Paul Dirk. Recess. Recall. Continued examination of DW #2. Deft rests. Closing arguments. The Court grants deft's motion to enforce and denies the motion to sanction. Adjourned. (drodrigues) Modified on 04/04/2002 (Entered: 04/01/2002)
03/28/2002	44	Exhibit list by Party Boat, Inc. , filed (drodrigues) (Entered: 04/01/2002)

03/28/2002	45	Exhibit list by Party Boat, Inc. , filed (drodrigues) (Entered: 04/01/2002)
03/28/2002	46	Exhibit list by Equal Employment Op , filed (drodrigues) (Entered: 04/01/2002)
03/28/2002	47	ORDER denying [27-1] motion to Enforce Consent Decree Against Successor-in-Interest to Defendant , entered; Parties notified. (signed by Judge Hayden W. Head Jr) (drodrigues) (Entered: 04/02/2002)
04/01/2002	48	ORDER DENYING MOTION FOR SANCTIONS, entered; Parties notified. (signed by Judge Hayden W. Head Jr) (drodrigues) (Entered: 04/02/2002)
02/12/2007	49	Mail Returned Undeliverable: Letter to Robert Pittard regarding exhibits., filed. (vrios,) (Entered: 02/13/2007)
03/27/2007	50	NOTICE to destroy plaintiff's exhibits, filed. (grogan,) (Entered: 03/27/2007)
04/16/2007		Plaintiff's exhibits destroyed. (grogan,) (Entered: 04/16/2007)

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