

CLOSED, ECF, JURY, SANDERSON

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:06-cv-01761**

Equal Employment Opportunity Commission v. The  
ServiceMaster Co et al  
Assigned to: Judge Barbara M. G. Lynn  
Cause: 28:451 Employment Discrimination

Date Filed: 09/26/2006  
Date Terminated: 01/07/2008  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Robert A Canino, Jr**  
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V.

**Defendant**

**The ServiceMaster Co**

*TERMINATED: 07/31/2007*

represented by **Eduardo F Cuaderes**

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**Defendant**

**The Terminix International Company  
LP**

represented by **Linda C Schoonmaker**  
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**Antonio Caldarone**  
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**Nicholas Anaclerio, Jr**  
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**Mediator**

**ADR Provider**

*TERMINATED: 11/28/2007*

represented by **Courtenay L Bass**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/26/2006	<a href="#"><u>1</u></a>	COMPLAINT against The ServiceMaster Co filed by Equal Employment Opportunity Commission. (axm, ) Modified on 9/28/2006 (axm, ). (Entered: 09/27/2006)
09/26/2006		DEMAND for Trial by Jury by Equal Employment Opportunity Commission. (contained within complaint) (axm, ) (Entered: 09/27/2006)
09/26/2006	<a href="#"><u>2</u></a>	Summons Issued as to The ServiceMaster Co. (axm, ) Modified on 9/28/2006 (axm, ). (Entered: 09/27/2006)

09/26/2006	<a href="#">3</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Equal Employment Opportunity Commission. (axm, ) (Entered: 09/27/2006)
09/27/2006		***Magistrate Judge Sanderson chosen by random selection to handle matters that may be referred in this case. (axm, ) (Entered: 09/27/2006)
09/27/2006	<a href="#">4</a>	Order Designating Case for ECF - see order for specifics. (Signed by Judge Barbara M. G. Lynn on 09/27/2006) (axm, ) (Entered: 09/27/2006)
01/30/2007	<a href="#">5</a>	ORDER TO SHOW CAUSE: by February 9, 2007, Plaintiff shall file a valid return of service as to Defendant The ServiceMaster Company, doing business as Terminix International Co., or show good cause in writing why service cannot be made, or this action will be dismissed without further notice for failure to prosecute. (Signed by Judge Barbara M. G. Lynn on 1/30/07) (cxb) (Entered: 01/30/2007)
02/08/2007	<a href="#">7</a>	NOTICE OF WAIVER OF SERVICE Returned Executed as to The ServiceMaster Company. Waiver sent on 2/1/2007, answer due 4/2/2007. (cxb) (Entered: 02/09/2007)
02/09/2007	<a href="#">6</a>	NOTICE by Equal Employment Opportunity Commission of <i>Second Service</i> (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit # <a href="#">6</a> Exhibit # <a href="#">7</a> Exhibit # <a href="#">8</a> Exhibit # <a href="#">9</a> Exhibit # <a href="#">10</a> Exhibit # <a href="#">11</a> Exhibit # <a href="#">12</a> Exhibit # <a href="#">13</a> Exhibit) (Backhaus, William) (Entered: 02/09/2007)
02/16/2007	<a href="#">8</a>	MOTION to Dismiss by The ServiceMaster Company (Cuaderes, Eduardo) (Entered: 02/16/2007)
02/16/2007	<a href="#">9</a>	Brief/Memorandum in Support filed by The ServiceMaster Company re <a href="#">8</a> MOTION to Dismiss (Attachments: # <a href="#">1</a> ) (Cuaderes, Eduardo) (Entered: 02/16/2007)
02/16/2007	<a href="#">10</a>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by The ServiceMaster Company. (Cuaderes, Eduardo) (Entered: 02/16/2007)
03/06/2007	<a href="#">11</a>	FIRST AMENDED COMPLAINT against The ServiceMaster Co and Terminix International Co filed by Equal Employment Opportunity Commission. (Backhaus, William) Modified on 3/7/2007 (cxb). (Entered: 03/06/2007)
03/06/2007	<a href="#">12</a>	RESPONSE filed by Equal Employment Opportunity Commission re <a href="#">8</a> MOTION to Dismiss (Attachments: # <a href="#">1</a> Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit # <a href="#">6</a> Exhibit # <a href="#">7</a> Exhibit # <a href="#">8</a> Exhibit # <a href="#">9</a> Exhibit # <a href="#">10</a> Exhibit # <a href="#">11</a> Exhibit # <a href="#">12</a> Exhibit # <a href="#">13</a> Exhibit # <a href="#">14</a> Exhibit # <a href="#">15</a> Exhibit # <a href="#">16</a> Exhibit) (Backhaus, William) (Entered: 03/06/2007)
03/12/2007	<a href="#">13</a>	AMENDED COMPLAINT <i>Refiled with Cert of Service</i> against all defendants filed by Equal Employment Opportunity Commission. (Anderson, Suzanne) (Entered: 03/12/2007)
03/12/2007	<a href="#">14</a>	AMENDED COMPLAINT <i>Refiled with CORRECTED certificate of service</i> against all defendants filed by Equal Employment Opportunity Commission. (Anderson, Suzanne) (Entered: 03/12/2007)
03/20/2007	<a href="#">15</a>	REPLY filed by The ServiceMaster Co re <a href="#">8</a> MOTION to Dismiss (Cuaderes, Eduardo) (Entered: 03/20/2007)

03/20/2007	<a href="#">16</a>	MOTION to Strike by The ServiceMaster Co (Attachments: # <a href="#">1</a> ) (Cuaderes, Eduardo) (Entered: 03/20/2007)
04/24/2007	<a href="#">17</a>	NOTICE of Attorney Appearance by Antonio Caldarone on behalf of The ServiceMaster Co (Caldarone, Antonio) (Entered: 04/24/2007)
04/24/2007	<a href="#">18</a>	NOTICE of Attorney Appearance by Nicholas Anaclerio, Jr on behalf of The ServiceMaster Co (Anaclerio, Nicholas) (Entered: 04/24/2007)
06/26/2007	<a href="#">19</a>	***VACATED IN PART PER #26***Memorandum Opinion and Order denying <a href="#">8</a> Motion to Dismiss filed by The ServiceMaster Co. This action is STAYED until October 8, 2007 to allow the EEOC to amend the administrative charge and pursue conciliation with Service Master. Following such attempt at conciliation, the EEOC may amend its First Amended Complaint to address the deficiencies identified in this order. See order for details. (Signed by Judge Barbara M. G. Lynn on June 26, 2007) (jyg) Modified on 8/2/2007 (svc). (Entered: 06/26/2007)
07/10/2007	<a href="#">20</a>	MOTION for Reconsideration by The ServiceMaster Co (Anaclerio, Nicholas) (Entered: 07/10/2007)
07/10/2007	<a href="#">21</a>	Brief/Memorandum in Support filed by The ServiceMaster Co re <a href="#">20</a> MOTION for Reconsideration (Anaclerio, Nicholas) (Entered: 07/10/2007)
07/30/2007	<a href="#">22</a>	STIPULATION by Terminix International Co <i>and the Equal Opportunity Employment Commission</i> . (Caldarone, Antonio) (Entered: 07/30/2007)
07/30/2007	<a href="#">23</a>	NOTICE by The ServiceMaster Co of Withdrawal re <a href="#">20</a> Motion for Reconsideration. (Caldarone, Antonio) Modified on 7/31/2007 (klm). (Entered: 07/30/2007)
07/31/2007	<a href="#">24</a>	ORDER denying as moot <a href="#">20</a> Defendant ServiceMaster Company's Motion for Reconsideration. (Signed by Judge Barbara M. G. Lynn on 7/31/07) (klm) (Entered: 07/31/2007)
07/31/2007	<a href="#">25</a>	ORDER of Dismissal: The ServiceMaster Company is dismissed with prejudice from this matter. (Signed by Judge Barbara M. G. Lynn on 7/31/07) (skt) (Entered: 08/01/2007)
08/02/2007	<a href="#">26</a>	ORDER: In light of the dismissal of Defendant ServiceMaster Company, the Court's stay, imposed by the Memorandum Opinion and Order of June 26, 2007, is VACATED. An order requiring the parties to submit a proposed scheduling order will be submitted after Defendant answers. (Signed by Judge Barbara M. G. Lynn on 08/02/07) (lmp) Modified on 8/6/2007 (jkm). (Entered: 08/02/2007)
08/03/2007	<a href="#">27</a>	NOTICE of Attorney Appearance by Nicholas Anaclerio, Jr on behalf of Terminix International Co (Anaclerio, Nicholas) (Entered: 08/03/2007)
08/03/2007	<a href="#">28</a>	WAIVER OF SERVICE Returned Executed as to Terminix International Co. Waiver sent on 8/3/2007, answer due 10/2/2007. (Anaclerio, Nicholas) (Entered: 08/03/2007)
08/03/2007	<a href="#">29</a>	Agreed Motion for Entry of a Scheduling Order by Terminix International Co. (Anaclerio, Nicholas) Modified on 8/6/2007 (klm). (Entered: 08/03/2007)

08/03/2007	<a href="#">30</a>	NOTICE of Attorney Appearance by Antonio Caldarone on behalf of Terminix International Co (Caldarone, Antonio) (Entered: 08/03/2007)
08/06/2007	<a href="#">31</a>	AMENDED COMPLAINT ( <i>SECOND</i> ) against Terminix International Co filed by Equal Employment Opportunity Commission. (Backhaus, William) (Entered: 08/06/2007)
08/06/2007	<a href="#">32</a>	ORDER granting <a href="#">29</a> Agreed Motion for Entry of a Scheduling Order filed by The Terminix International Company LP. Plaintiff shall file its second amended complaint by August 9, 2007, and Defendant shall file a responsive pleading by August 30, 2007. (Signed by Judge Barbara M. G. Lynn on 8/6/07) (klm) (Entered: 08/06/2007)
08/30/2007	<a href="#">33</a>	ANSWER to Amended Complaint ( <i>Second</i> ) by The Terminix International Company LP (Anaclerio, Nicholas) (Entered: 08/30/2007)
09/07/2007	<a href="#">34</a>	ORDER REQUIRING SCHEDULING CONFERENCE AND REPORT FOR CONTENTS OF SCHEDULING ORDER. Proposed Scheduling Order due by 10/19/2007. See order for other specifics. (Signed by Judge Barbara M. G. Lynn on 9/7/07) (Attachments: # <a href="#">1</a> Consent Letter# <a href="#">2</a> Consent Form) (jrb) (Entered: 09/07/2007)
09/26/2007	<a href="#">35</a>	THIRD AMENDED COMPLAINT against The Terminix International Company LP filed by Equal Employment Opportunity Commission. (Backhaus, William) Modified on 9/26/2007 (Imp). (Entered: 09/26/2007)
10/19/2007	<a href="#">36</a>	STATUS REPORT by Equal Employment Opportunity Commission, The Terminix International Company LP. (Anaclerio, Nicholas) (Entered: 10/19/2007)
11/28/2007	<a href="#">37</a>	Alternative Dispute Resolution Summary filed by Courtenay Lee Bass. Attorneys in Attendance: Suzanne Anderson, William Backhaus, Linda Schoonmaker, Robert Nobile, Mark Williams. Prv Fee: \$ 2500. Outcome of ADR: Settled as a result of ADR. (Bass, Courtenay) (Entered: 11/28/2007)
12/03/2007	<a href="#">38</a>	Letter from Judge Lynn regarding dismissal papers. Dismissal papers due 12/17/07. (Signed by Judge Barbara M. G. Lynn on 12/3/07) (svc) (Entered: 12/04/2007)
12/04/2007	<a href="#">39</a>	NOTICE of Attorney Appearance by Linda C Schoonmaker on behalf of The Terminix International Company LP. (Schoonmaker, Linda) (Entered: 12/04/2007)
12/18/2007	<a href="#">40</a>	***PROPOSED ORDER***NOTICE by Equal Employment Opportunity Commission, The Terminix International Company LP <i>AGREED CONSENT DECREE</i> (Backhaus, William) Modified on 12/19/2007 (tln). (Entered: 12/18/2007)
12/19/2007	<a href="#">41</a>	Agreed MOTION to File Consent Decree by Equal Employment Opportunity Commission, The Terminix International Company LP (Attachments: # <a href="#">1</a> Exhibit Consent Decree) (Backhaus, William) Modified on 12/20/2007 (tln). (Entered: 12/19/2007)
01/07/2008	<a href="#">42</a>	Consent Decree re <a href="#">41</a> Agreed Motion to file Consent Decree. (see order for specifics) (Signed by Judge Barbara M. G. Lynn on 1/7/08) (tln) (Entered: 01/07/2008)

	01/08/2008)
01/07/2008	***Civil Case Terminated per Consent Decree (doc. 42). (tln) (Entered: 01/08/2008)

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