

BENCH, CLOSED, FRC, LEAD, MEDIATION

**U.S. District Court [LIVE]
Eastern District of TEXAS (Beaumont)
CIVIL DOCKET FOR CASE #: 1:96-cv-00070-TH**

USA v. Beaumont Housing
Assigned to: Judge Thad Heartfield
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 02/01/1996
Date Terminated: 01/20/1998
Jury Demand: None
Nature of Suit: 442 Civil Rights:
Jobs
Jurisdiction: U.S. Government
Plaintiff

Mediator

Thomas A. Thomas

Plaintiff

USA

represented by **Claire L Gregory**
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TERMINATED: 10/09/1997
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Date Filed	#	Docket Text
02/01/1996	1	Original Complaint filed (bst) (Entered: 02/01/1996)
02/01/1996	2	MOTION by USA, Beaumont Housing conditional entry of consent decree , & for a fairness Hearing (bst) (Entered: 02/01/1996)
02/02/1996	3	In compliance with Article One of the Civil Justice Expense and Delay Reduction Plan, and after a review of the pleadings, this action has been assigned to track 3 for case management purposes. (bst) (Entered: 02/02/1996)
02/07/1996	33	Letter from USA to TH regarding a description of the procedures followed by the civil rights division in settling by consent decree. (jmv) (Entered: 08/29/1997)
02/20/1996	5	ORDER granting [2-1] motion for conditional entry of consent decree subject to final approval and entry by the Court after a fairness hearing set for 4/18/96 at 9:00. Order granting [2-2] motion for a fairness hearing (signed by Judge Thad Heartfield) cc attys 2-22-96 (tkd) (Entered: 02/22/1996)
02/21/1996	4	Notice of Hearing: Motion hearing set for 9:00 4/18/96 for [2-1] motion conditional entry of consent decree, set for 9:00 4/18/96 for [2-2] motion for a fairness Hearing mailed to attys on 2/21/96 (former empl) (Entered: 02/21/1996)
04/18/1996		Fairness hearing held re: [2-1] motion conditional entry of consent decree, [2-2] motion for a fairness Hearing before Judge Thad Heartfield. The Court approved the consent decree (former empl) (Entered: 04/18/1996)
04/18/1996	6	Minutes Re: [0-0] fairness hearing by Judge Thad Heartfield on 4/18/96 (former empl) (Entered: 04/18/1996)

04/18/1996	7	CONSENT DECREE entered between parties (signed by Judge Thad Heartfield) cc: attys 4/19/96 (bjc) (Entered: 04/19/1996)
02/11/1997	8	MOTION by USA to reopen case for the purpose of obtaining supplemental relief (bjc) (Entered: 02/12/1997)
02/11/1997	9	Brief by USA in support of [8-1] motion to reopen case for the purpose of obtaining supplemental relief (bjc) (Entered: 02/12/1997)
02/24/1997	10	Response and opposition by Beaumont Housing to govt's [8-1] motion to reopen case (bjc) (Entered: 02/25/1997)
02/24/1997	11	Memorandum in opposition by Beaumont Housing in support of [10-1] response to govt's [8-1] motion to reopen case (bjc) (Entered: 02/25/1997)
02/26/1997	12	ORDER denying [8-1] motion to reopen case for the purpose of obtaining supplemental relief (signed by Judge Thad Heartfield) cc: attys 2/26/97 (bjc) (Entered: 02/26/1997)
03/31/1997	13	MOTION by USA for contempt for violating the 4/18/96 consent decree (bjc) (Entered: 03/31/1997)
03/31/1997	14	Brief by USA in support of [13-1] motion for contempt for violating the 4/18/96 consent decree (bjc) (Entered: 03/31/1997)
03/31/1997	18	MOTION by USA to consolidate case w/ 1:97cv84 (original doc in 1:97cv84) (bjc) (Entered: 06/19/1997)
03/31/1997	19	Brief by USA in support of [18-1] motion to consolidate case w/ 1:97cv84 (original doc in 1:97cv84) (bjc) (Entered: 06/19/1997)
04/09/1997	15	Reply by Beaumont Housing to USA's [13-1] motion for contempt for violating the 4/18/96 consent decree (bjc) (Entered: 04/10/1997)
04/09/1997	16	Reply memorandum by Beaumont Housing in support of [15-1] response to USA's [13-1] motion for contempt (bjc) (Entered: 04/10/1997)
04/09/1997	20	Response in opposition by Beaumont Housing to pla's [18-1] motion to consolidate case w/ 1:97cv84 (original doc in 1:97cv84) (bjc) Modified on 06/19/1997 (Entered: 06/19/1997)
04/09/1997	21	Memorandum by Beaumont Housing in support of [20-1] response in oppositon to pla's [18-1] motion to consolidate (bjc) (Entered: 06/19/1997)
06/16/1997	17	Notice of Hearing: Motion hearing set for 10:00 7/10/97 for [13-1] motion for contempt for violating the 4/18/96 consent decree

		before Thad Heartfield cc: TH, Cooper, Martin, Libman, Patrick, Bradford, Dodd 6/16/97 (bjc) Modified on 06/16/1997 (Entered: 06/16/1997)
06/26/1997	22	ORDER regarding preliminary matters raised by the motion for contempt, the motion to consolidated and the responses to these motions (signed by Judge Thad Heartfield 6/25/97) cc: attys 6/30/97 (bjc) (Entered: 06/30/1997)
07/01/1997	36	Notice of attorney appearance for Debra Kay Marshall by Christopher Matthew Parks (bjc) Modified on 10/15/1997 (Entered: 09/15/1997)
07/07/1997	23	Supplemental brief by USA in support of [13-1] motion for contempt for violating the 4/18/96 consent decree (bjc) (Entered: 07/07/1997)
07/07/1997	24	Supplemental Brief for issues involving the scope of the consent decree and remedies available predicated upon the concept of contempt filed by Beaumont Housing (bjc) (Entered: 07/08/1997)
07/08/1997	25	Response by Beaumont Housing to brief in support of United States' [18-1] motion to consolidate case w/ 1:97cv84 (bjc) (Entered: 07/09/1997)
07/10/1997		Motion hearing held re: [13-1] motion for contempt for violating the 4/18/96 consent decree, [18-1] motion to consolidate case w/ 1:97cv84 before Judge Thad Heartfield. Court entered Court Exhibit 1 - Agenda for Hearing. Parties state arguments. Court grants motion to consolidate cases. Court sets case on Track 5. Trial set for 11/18/97. Parties to submit proposed docket control order. (jmv) (Entered: 07/11/1997)
07/10/1997	26	Court Exhibit list (jmv) (Entered: 07/11/1997)
07/10/1997	27	Minutes Re: [0-0] motion hearing by Judge Thad Heartfield on 7/10/97 (Ct rep/ECRO: J.Kelley) (jmv) (Entered: 07/11/1997)
07/15/1997		Status conference held before Judge Thad Heartfield. Court addresses motion to consolidate. Court will consolidate cases. Court will grant parties leave to file a motion to sever after discovery. Court will enter a written order. (jmv) (Entered: 07/16/1997)
07/15/1997	28	Minutes Re: [0-0] status conference by Judge Thad Heartfield on 7/15/97 (Ct rep/ECRO: J. Kelley) (jmv) (Entered: 07/16/1997)
07/17/1997	29	ORDER granting [18-1] motion to consolidate. Ordered that this

		case be consolidated w/ case 1:97cv84 (signed by Judge Thad Heartfield 7/16/97) cc: attys 7/23/97 (bjc) (Entered: 07/23/1997)
07/17/1997	30	ORDER, reassigning this action to track 5 for case management purposes and setting pretrial conference for 11/18/97 before Judge Thad Heartfield . The parties are to file a proposed docket control or by 8/4/97 (signed by Judge Thad Heartfield 7/16/97) cc: attys 7/23/97 (bjc) (Entered: 07/23/1997)
08/15/1997	31	Agreed MOTION by USA, Beaumont Housing for protective order (bjc) (Entered: 08/18/1997)
08/20/1997	32	Amended Docket Control Order setting deadline for plas attys to contact the ct by 10/1/97 w/ the name of an agreed mediator (signed by Judge Thad Heartfield) cc: attys 8/20/97 (bjc) (Entered: 08/20/1997)
09/03/1997	34	ORDER denying [31-1] motion for protective order (signed by Judge Thad Heartfield 9/2/97) cc: attys 9/4/97 (bjc) (Entered: 09/04/1997)
09/08/1997	35	Notice of initial disclosure by USA (bjc) (Entered: 09/09/1997)
09/17/1997	37	Unopposed MOTION by Debra Kay Marshall to amend [32-1] amended docket control ord (bjc) (Entered: 09/18/1997)
09/19/1997	38	Second Amended Docket Control Order setting trial on 11/18/97. The Ct direct the attys for the plas to contact the ct by 10/1/97 w/ the name of an agreed mediator (signed by Judge Thad Heartfield) cc: attys 9/22/97 (bjc) (Entered: 09/22/1997)
09/19/1997	39	ORDER granting [37-1] motion to amend [32-1] amended docket control ord (signed by Judge Thad Heartfield) cc: attys 9/22/97 (bjc) (Entered: 09/22/1997)
09/26/1997	40	Second MOTION by Beaumont Housing to substitute atty Christopher T Coco and Zona Jones in place of George Michael Jamail (bjc) (Entered: 09/26/1997)
10/02/1997	41	MOTION by Beaumont Housing, Debra Kay Marshall for leave to file agreed mo for extension of 2nd amended docket control ord (bjc) (Entered: 10/06/1997)
10/03/1997	42	MOTION by Debra Kay Marshall for leave to file second amended cmp and to add parties (bjc) (Entered: 10/06/1997)
10/06/1997	43	Original Answer to pla's 1st amended original complaint by Beaumont Housing (Mailed track assignment and consent form to atty Christopher CoCo) (bjc) (Entered: 10/06/1997)

10/09/1997	44	Order referring case to Thomas A. Thomas, as mediator. The mediation conference may occur any time between 10/13/97 and 11/3/97 (signed by Judge Thad Heartfield) cc: attys 10/9/97 (bjc) (Entered: 10/09/1997)
10/09/1997	46	Notice of third supplemental disclosure by Beaumont Housing (bjc) (Entered: 10/14/1997)
10/09/1997	45	Notice of objections to pla's designation of expert witness by Beaumont Housing (bjc) (Entered: 10/14/1997)
10/09/1997	47	ORDER granting [40-1] mo to substitute atty Christopher T Coco and Zona Jones in place of George Michael Jamail (signed by Judge Thad Heartfield) cc: attys 10/14/97 (bjc) (Entered: 10/14/1997)
10/10/1997	48	Motion by Beaumont Housing, Debra Kay Marshall for extension of 2nd amended docket control ord (bjc) (Entered: 10/15/1997)
10/10/1997	51	ORDER granting [41-1] mo for leave to file agreed mo for extension of 2nd amended docket control ord, and [48-1] mo for extension of 2nd amended docket control ord. The deadline for completion of discovery is extended until 10/31/97 (signed by Judge Thad Heartfield) cc: attys 10/14/97 (bjc) (Entered: 10/15/1997)
10/14/1997	49	Response by Beaumont Housing to pla's [42-1] mo for leave to file second amended cmp (bjc) (Entered: 10/15/1997)
10/14/1997	49	MOTION by Beaumont Housing to continue trial and for discovery (bjc) (Entered: 10/15/1997)
10/14/1997	50	Joint MOTION by USA, Beaumont Housing for entry of supplemental consent decree (bjc) (Entered: 10/15/1997)
10/16/1997	52	ORDER granting [50-1] motion for entry of supplemental consent decree (signed by Judge Thad Heartfield) cc parties 10/17/97 (bsw) (Entered: 10/17/1997)
10/16/1997	53	Supplemental Consent Decree (signed by Judge Thad Heartfield) cc parties 10/17/97 (bsw) (Entered: 10/17/1997)
10/17/1997	54	Memorandum in response by Debra Kay Marshall to dft's response to pla's [42-1] motion for leave to file second amended cmp and to add parties (bjc) (Entered: 10/20/1997)
10/17/1997	54	Response by Debra Kay Marshall to dft's [49-1] mo to continue trial and [49-2] mo for discovery (bjc) (Entered: 10/20/1997)

10/24/1997	55	MOTION by Beaumont Housing to sever 1:97cv84 from cause no 1:96cv70 (bjc) (Entered: 10/27/1997)
10/27/1997	56	Notice of 1st supplemental disclosure by Debra Kay Marshall (bjc) (Entered: 10/28/1997)
10/27/1997	57	Notice of pretrial disclosure by Beaumont Housing (bjc) (Entered: 10/28/1997)
10/30/1997	58	Notice of non-objection to dft Bmt Housing Authority's mo to sever 1:97cv84 from the case 1:96cv70 by USA (bjc) (Entered: 10/31/1997)
10/31/1997	60	ORDER, sua sponte, amending the docket control ord. The submission dates for pretrial disclosures and the joint final pretrial ord are hereby suspended until 11/7/97 (signed by Judge Thad Heartfield) cc: attys 11/4/97 (bjc) (Entered: 11/04/1997)
11/03/1997		Final Pre-trial conference set at 9:00 11/18/97 before Judge Thad Heartfield. cc: TH, attys (jmv) (Entered: 11/03/1997)
11/03/1997		Jury selection set at 9:00 11/19/97 before Judge Thad Heartfield (jmv) (Entered: 11/03/1997)
11/03/1997	59	MOTION by Debra Kay Marshall for leave to file third amended complaint (bjc) (Entered: 11/04/1997)
11/13/1997	61	Notice of amended pre-trial disclosure statement by Beaumont Housing (bjc) (Entered: 11/13/1997)
11/17/1997	62	ORDER granting [59-1] mo for leave to file third amended complaint (signed by Judge Thad Heartfield) cc: attys 11/18/97 (bjc) (Entered: 11/18/1997)
11/17/1997	63	ORDER granting [49-1] mo to continue trial; reset bench trial for 2/16/98 before Judge Thad Heartfield (signed by Judge Thad Heartfield) cc: attys 11/18/97 (bjc) (Entered: 11/18/1997)
11/17/1997	64	ORDER granting [49-2] mo for discovery (signed by Judge Thad Heartfield) cc: attys 11/18/97 (bjc) (Entered: 11/18/1997)
11/17/1997	65	ORDER denying [55-1] mo to sever 1:97cv84 from cause no 1:96cv70 (signed by Judge Thad Heartfield) cc: attys 11/18/97 (bjc) (Entered: 11/18/1997)
11/17/1997	66	ORDER denying as moot [42-1] mo for leave to file second amended cmp (signed by Judge Thad Heartfield) cc: attys 11/18/97 (bjc) (Entered: 11/18/1997)
11/17/1997	67	Third Amended complaint by Debra Kay Marshall, amending

		[1-1] complaint (bjc) (Entered: 11/18/1997)
11/24/1997	68	Notice of second amended pretrial disclosure by Beaumont Housing (bjc) (Entered: 11/24/1997)
12/16/1997	69	ORDER amending docket control Order setting motions for summary judgment to be filed by 1/5/98 (signed by Judge Thad Heartfield 12/15/97) cc: attys 12/19/97 (bjc) (Entered: 12/19/1997)
01/20/1998	70	Final Judgment by the Ct that the pla, Debra Kay Marshall, have and recover of and from dft, The Housing Authority of Beaumont, nothing, and that the said dft go hence w/o day. All taxable Ct costs are adjudged against the party incurring same, for which the officers of this Ct may have their execution (signed by Judge Thad Heartfield) cc: attys 1/21/98 (1:97-cv-00084) (bjc) (Entered: 01/21/1998)
06/18/2003		Shipped to FRC on 04/13/99 Accession number: 021-99-0293, Location K-06-099-3-5 Box 4 of 35 (rll) Modified on 12/15/2003 (Entered: 06/18/2003)