

**U.S. District Court
Northern District of Mississippi (Western Division)
CIVIL DOCKET FOR CASE #: 3:06-cv-00061-MPM-JAD**

United States of America v. First National Bank of Pontotoc et al

Assigned to: Michael P. Mills

Referred to: Jerry A. Davis

Cause: 15:1681 Fair Credit Reporting Act

Plaintiff

United States of America

Date Filed: 04/27/2006

Date Terminated: 11/07/2007

Jury Demand: Plaintiff

Nature of Suit: 440 Civil Rights: Other

Jurisdiction: U.S. Government Plaintiff

represented by **Burtis M. Dougherty**
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V.

Defendant

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Defendant

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Cross Claimant

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ATTORNEY TO BE NOTICED

Robert E. Hauberg , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

William Davis Frye
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V.

Cross Defendant

William W. Anderson

represented by **Grady F. Tollison , Jr.**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cameron Abel
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/27/2006	<u>1</u>	COMPLAINT against First National Bank of Pontotoc, William W. Anderson, Jury Demand , filed by United States of America. (Attachments: # <u>1</u> Civil Cover

		Sheet)(tab, USDC)
04/27/2006	<u>2</u>	NOTICE OF ASSIGNMENT. Case assigned to Judge Glen H. Davidson and Magistrate Judge S. Allan Alexander. (tab, USDC)
05/03/2006	<u>3</u>	MOTION for More Definite Statement by First National Bank of Pontotoc. (Malski, C.)
05/03/2006	<u>4</u>	CORPORATE STATEMENT. (Malski, C.)
05/16/2006	<u>5</u>	WAIVER OF SERVICE Returned Executed by Burtis M. Dougherty on behalf of United States of America ; First National Bank of Pontotoc waiver sent on 5/3/2006. (Attachments: # <u>1</u>)(Dougherty, Burtis)
05/17/2006	<u>6</u>	RESPONSE to Motion re <u>3</u> MOTION for More Definite Statement filed by United States of America. (Kirwan, Tanya)
05/26/2006	<u>7</u>	MEMORANDUM IN SUPPORT re <u>3</u> MOTION for More Definite Statement. (Malski, C.)
06/07/2006	<u>8</u>	ORDER denying <u>3</u> Motion for More Definite Statement . Signed by Judge S. Allan Alexander on 6/7/06. (tlk, USDC)
06/08/2006	<u>9</u>	Summons Issued as to William W. Anderson. (nsm, USDC)
06/15/2006	<u>10</u>	<i>First National Bank of Pontotoc's</i> ANSWER to Complaint, CROSSCLAIM against William W. Anderson by First National Bank of Pontotoc.(Malski, C.)
06/28/2006	<u>11</u>	NOTICE OF SERVICE of First National Bank of Pontotoc's First Set of Interrogatories and Requests for Production of Documents by C. Michael Malski on behalf of First National Bank of Pontotoc to Plaintiff. (Malski, C.)
07/05/2006	<u>12</u>	WAIVER OF SERVICE Returned Executed by Burtis M. Dougherty on behalf of United States of America ; William W. Anderson waiver sent on 5/3/2006. (Dougherty, Burtis)
07/06/2006	<u>13</u>	MOTION to Dismiss by William W. Anderson. (Tollison, Grady)
07/06/2006	<u>14</u>	MEMORANDUM IN SUPPORT re <u>13</u> MOTION to Dismiss. (Tollison, Grady)
07/06/2006		NOTICE OF CORRECTION: Waiver re-filed as doc.#15 re <u>12</u> Waiver of Service Executed (tab, USDC)
07/06/2006	<u>15</u>	WAIVER OF SERVICE Returned Executed by Burtis M. Dougherty on behalf of United States of America ; (Dougherty, Burtis)
07/07/2006	<u>16</u>	Joint MOTION to Dismiss by First National Bank of Pontotoc. (Malski, C.)
07/07/2006	<u>17</u>	Case REASSIGNED to Judge Jerry A. Davis. Judge S. Allan Alexander no longer assigned to the case. (tab, USDC)
07/24/2006	<u>18</u>	RESPONSE in Opposition re <u>13</u> MOTION to Dismiss, <u>16</u> Joint MOTION to Dismiss filed by United States of America. (Kirwan, Tanya)
07/26/2006	<u>19</u>	MOTION for Extension of Time to <i>Respond to Plaintiff United States of America's Response in Opposition to Plaintiff William W. Anderson's Motion to Dismiss</i> by William W. Anderson. (Tollison, Grady)
07/26/2006	<u>20</u>	ORDER granting <u>19</u> Motion for Extension of Time . Signed by Judge Glen H. Davidson on 7/26/06. (tab, USDC)
08/04/2006	<u>21</u>	REPLY to Response to Motion re <u>13</u> MOTION to Dismiss, <u>16</u> Joint MOTION to Dismiss filed by First National Bank of Pontotoc. (Malski, C.)
08/16/2006	<u>22</u>	REPLY to Response to Motion re <u>13</u> MOTION to Dismiss filed by William W. Anderson. (Tollison, Grady)
11/03/2006	<u>23</u>	ORDER denying <u>13</u> Motion to Dismiss, denying <u>16</u> Motion to Dismiss . Signed by Judge Glen H. Davidson on 11/2/06. (tab, USDC)

11/13/2006	<u>24</u>	ANSWER to Complaint by William W. Anderson.(Abel, Cameron)
11/15/2006	<u>25</u>	INITIAL ORDER – RULE 16.1: Telephonic Case Management Conference set for 2/16/2007 at 10:00 AM in Judge Davis Chambers before Mag. Judge Jerry A. Davis.Signed by Judge Jerry A. Davis on 11/15/06. (egs, USDC)
02/02/2007	<u>26</u>	NOTICE OF SERVICE of Pre–Discovery Disclosure of Core Information by Cameron Morgan Abel on behalf of William W. Anderson to Plaintiff's Counsel. (Abel, Cameron)
02/02/2007	<u>27</u>	NOTICE OF SERVICE of Pre–Discovery Disclosure Information by Tanya Ilona Kirwan on behalf of United States of America to Defendants First National Bank of Pontotoc and William W. Anderson. (Kirwan, Tanya)
02/16/2007	<u>28</u>	Minute Entry for proceedings held before Judge Jerry A. Davis : Case Management Conference held on 2/16/2007. (egs, USDC)
02/16/2007	<u>29</u>	CASE MANAGEMENT ORDER: Case assigned to standard track. Discovery due by 8/16/2007. Amendments/Joinder of Parties due by 4/30/2007. Plaintiffs Designation of Experts due by 6/1/2007. Defendants Designation of Experts due by 7/2/2007. Motions due by 8/30/2007. Signed by Judge Jerry A. Davis on 2/16/07. (egs, USDC)
03/01/2007	<u>30</u>	ORDER OF RECUSAL. Judge Glen H. Davidson recused. Case reassigned to Judge Michael P. Mills for all further proceedings. Signed by Judge Glen H. Davidson on 3/1/07. (tab, USDC)
03/02/2007	<u>31</u>	NOTICE OF SERVICE of US First Set of Interrogatories to Defendant Anderson; US First Request for Production to Defendant Anderson by Burtis M. Dougherty on behalf of United States of America to All counsel of record. (Dougherty, Burtis)
03/02/2007		NOTICE OF CORRECTION notice un–signed, to be re–filed with signature re <u>31</u> Notice of Service (tab, USDC)
03/02/2007	<u>32</u>	NOTICE OF SERVICE of US First Set of Interrogatories to Defendant Anderson; US First Request for Production to Defendant Anderson by Burtis M. Dougherty on behalf of United States of America to All Counsel of Record. (Dougherty, Burtis)
03/15/2007	<u>33</u>	NOTICE OF SERVICE of Pre–Discovery Disclosure Information by C. Michael Malski on behalf of First National Bank of Pontotoc to Burtis M. Dougherty, Tanya Ilona Kirwan, Donna M. Murphy and Grady F. Tollison, Jr.. (Malski, C.)
03/20/2007	<u>34</u>	NOTICE OF SERVICE of Notice of Service of US First Interrogatories and Requests for Production of Documents by Burtis M. Dougherty on behalf of United States of America to Defendants' Counsel of Record. (Dougherty, Burtis)
03/27/2007	<u>35</u>	NOTICE OF SERVICE of Defendant William Anderson's First Set of Interrogatories and Requests for Production of Documents by Cameron Morgan Abel on behalf of William W. Anderson to Plaintiff United States of America. (Abel, Cameron)
04/06/2007	<u>36</u>	NOTICE of Attorney Appearance by William Davis Frye on behalf of First National Bank of Pontotoc (Frye, William)
04/06/2007	<u>37</u>	NOTICE of Attorney Appearance by Robert E. Hauberg, Jr on behalf of First National Bank of Pontotoc (Hauberg, Robert)
04/09/2007	<u>38</u>	NOTICE OF SERVICE of Defendant William W. Anderson's Responses to First Set of Interrogatories and Requests for Production of Documents Propounded by the United States by Cameron Morgan Abel on behalf of William W. Anderson to Plaintiff United States of America and Co–Defendant First Nat'l Bank of Pontotoc. (Abel, Cameron)
04/20/2007	<u>39</u>	Joint MOTION for Extension of Time <i>for Responding to Discovery and Amending the Pleadings</i> by United States of America, First National Bank of Pontotoc. (Frye, William)

04/26/2007	<u>40</u>	ORDER granting <u>39</u> Motion for Extension of Time . Signed by Judge Jerry A. Davis on 4/26/07. (egs, USDC)
04/27/2007		Set/Reset Case Management Order Deadlines: Amendments/Joinder of Parties due by 5/30/2007. (nsm, USDC)
04/30/2007	<u>41</u>	NOTICE OF SERVICE of Plaintiff United States' Response to Defendant William W. Anderson's First Set of Interrogatories to Plaintiff and Plaintiff United States' Response to Defendant William W. Anderson's First Request for Production of Documents to Plaintiff by Tanya Ilona Kirwan on behalf of United States of America to Counsel of Record. (Kirwan, Tanya)
05/08/2007	<u>42</u>	NOTICE OF SERVICE of United States' Second Set of Interrogatories to Defendant William W. Anderson by Tanya Ilona Kirwan on behalf of United States of America to Counsel of Record. (Kirwan, Tanya)
05/11/2007	<u>43</u>	MOTION for Protective Order by United States of America. (Kirwan, Tanya)
05/11/2007	<u>44</u>	MEMORANDUM IN SUPPORT re <u>43</u> MOTION for Protective Order. (Kirwan, Tanya)
05/23/2007	<u>45</u>	NOTICE OF SERVICE of Responses to Plaintiff's First Set of Interrogatories and First Requests for Production of Documents by William Davis Frye on behalf of First National Bank of Pontotoc. (Frye, William)
05/24/2007	<u>46</u>	RESPONSE to Motion re <u>43</u> MOTION for Protective Order filed by William W. Anderson. (Abel, Cameron)
05/24/2007	<u>47</u>	MEMORANDUM IN SUPPORT re <u>46</u> Response to Motion. (Attachments: # <u>1</u> Exhibit A-E to Memo in Support of Defendant William Anderson's Response to Plaintiff's Motion for Protective Order) (Abel, Cameron)
05/29/2007	<u>48</u>	NOTICE OF SERVICE of Supplemental Response to Plaintiff's First Set of Interrogatories by Cameron Morgan Abel on behalf of William W. Anderson to Plaintiff United States of America. (Abel, Cameron)
05/30/2007	<u>49</u>	MOTION for Leave to File <i>Amended Complaint</i> by United States of America. (Attachments: # <u>1</u> Exhibit Proposed Amended Complaint) (Kirwan, Tanya)
05/30/2007	<u>50</u>	MEMORANDUM IN SUPPORT re <u>49</u> MOTION for Leave to File <i>Amended Complaint</i> . (Kirwan, Tanya)
06/04/2007	<u>51</u>	REPLY to Response to Motion re <u>43</u> MOTION for Protective Order filed by United States of America. (Kirwan, Tanya)
06/06/2007	<u>52</u>	NOTICE OF SERVICE of First Set of Interrogatories and First Requests for Production of Documents by William Davis Frye on behalf of First National Bank of Pontotoc to Plaintiff. (Frye, William)
06/08/2007	<u>53</u>	REPLY to Response to Motion re <u>43</u> MOTION for Protective Order filed by William W. Anderson. (Abel, Cameron)
06/08/2007	<u>54</u>	NOTICE OF SERVICE of Defendant's William W. Anderson's Responses to Second Set of Interrogatories Propounded by United States by Cameron Morgan Abel on behalf of William W. Anderson to Plaintiff, United States of America. (Abel, Cameron)
06/15/2007	<u>55</u>	RESPONSE in Opposition re <u>49</u> MOTION for Leave to File <i>Amended Complaint</i> filed by First National Bank of Pontotoc. (Hauberg, Robert)
06/19/2007	<u>56</u>	AMENDED SCHEDULING ORDER: Discovery due by 10/15/2007. Motions due by 11/15/2007. Plaintiffs Designation of Experts due by 8/15/2007. Defendants Designation of Experts due by 7/16/2007.Signed by Judge Jerry A. Davis on 6/19/07. (egs, USDC)
06/20/2007	<u>57</u>	ORDER granting <u>43</u> Motion for Protective Order. Signed by Judge Jerry A. Davis on 6/20/2007. (jkj, USDC)
06/29/2007	<u>58</u>	NOTICE OF SERVICE of Notice of Service of Supplemental Initial Disclosures by Burtis M. Dougherty on behalf of United States of America to Counsel for all

		defendants. (Dougherty, Burtis)
07/02/2007	<u>59</u>	NOTICE OF SERVICE of Unredacted and Supplemental Responses to Defendant Anderson's First Discovery Requests by Burtis M. Dougherty on behalf of United States of America to counsel for each defendant. (Dougherty, Burtis)
07/05/2007	<u>60</u>	ORDER granting <u>49</u> Motion for Leave to File Amended Complaint within 14 days. Signed by Judge Jerry A. Davis on 7/5/2007. (jkj, USDC)
07/06/2007	<u>61</u>	NOTICE OF SERVICE of United States' Responses to Defendant First National Bank of Pontotoc's First Set of Interrogatories and First Requests for Production of Documents by Tanya Ilona Kirwan on behalf of United States of America to Counsel of Record. (Kirwan, Tanya)
07/06/2007	<u>62</u>	MOTION for Extension of Time to <i>Designate Expert Witnesses</i> by First National Bank of Pontotoc. (Attachments: # <u>1</u> Exhibit Exhibit "A" to Motion for Additional Time) (Frye, William)
07/10/2007	<u>63</u>	NOTICE of Trial: MVD/Jury Trial set for 6/16/2008 09:40 AM in Oxford Courtroom 1 before Chief Judge Michael P. Mills. (spw, USDC)
07/10/2007	<u>64</u>	NOTICE of Final Pretrial Conference set for 5/28/2008 at 10:00 AM in Judge Davis Chambers before Mag.Judge Jerry A. Davis. (egs, USDC)
07/10/2007	<u>65</u>	ORDER Regarding Final Pretrial Conference Instructions. Signed by Judge Jerry A. Davis on 7/10/07. (egs, USDC)
07/11/2007	<u>66</u>	ORDER granting <u>62</u> Motion for Extension of Time. Signed by Judge Jerry A. Davis on 7/11/07. (egs, USDC)
07/11/2007		Set/Reset Case Management Order Deadlines: Discovery due by 10/30/2007; Plaintiffs Designation of Experts due by 8/29/2007; Defendants Designation of Experts due by 7/30/2007. (egs, USDC)
07/11/2007	<u>67</u>	AMENDED COMPLAINT against all defendants, Jury Demand, filed by United States of America. (Kirwan, Tanya)
07/25/2007	<u>68</u>	ANSWER to Amended Complaint <i>and</i> , CROSSCLAIM against William W. Anderson by First National Bank of Pontotoc. (Frye, William)
07/27/2007	<u>69</u>	NOTICE by William Davis Frye on behalf of First National Bank of Pontotoc <i>Designation of Expert Witness</i> (Attachments: # <u>1</u> Exhibit 1) (Frye, William)
08/08/2007	<u>70</u>	<i>Defendant William Anderson's</i> ANSWER to Crossclaim by <i>Defendant First Nat'l Bank of Pontotoc</i> by William W. Anderson. (Abel, Cameron)
08/08/2007	<u>71</u>	<i>Defendant William Anderson's</i> ANSWER to Amended Complaint by <i>Defendant First Nat'l Bank of Pontotoc</i> by William W. Anderson. (Abel, Cameron)
08/13/2007	<u>72</u>	NOTICE OF SERVICE of First Supplemental Responses to Plaintiff's First Requests for Production of Documents by William Davis Frye on behalf of First National Bank of Pontotoc. (Frye, William)
08/16/2007	<u>73</u>	NOTICE of Settlement Conference set for 9/14/2007 at 10:00 AM in Judge Davis Chambers before Mag. Judge Jerry A. Davis. (egs, USDC)
08/17/2007	<u>74</u>	NOTICE OF SERVICE of Supplemental Responses to Interrogatories and Requests for Production of Documents of Defendant William W. Anderson, Jr. by Tanya Ilona Kirwan on behalf of United States of America to Counsel of Record. (Kirwan, Tanya)
08/28/2007	<u>75</u>	NOTICE to Take Deposition of Anita Russell, Lisa Mathews, Jim Williams, and Julie Henry by Tanya Ilona Kirwan on behalf of United States of America (Kirwan, Tanya)
08/28/2007	<u>76</u>	NOTICE to Take Deposition of Linda Adams, Cathy Purdon, and Buddy Montgomery by Tanya Ilona Kirwan on behalf of United States of America (Kirwan, Tanya)

09/05/2007	<u>77</u>	NOTICE OF SERVICE of Second Supplemental Responses to Plaintiff's First Requests for Production of Documents by William Davis Frye on behalf of First National Bank of Pontotoc to all counsel of record. (Frye, William)
09/14/2007	<u>78</u>	Minute Entry for proceedings held before Judge Jerry A. Davis : Settlement Conference held on 9/14/2007. (egs, USDC) (Entered: 09/17/2007)
11/06/2007	<u>79</u>	NOTICE by Tanya Ilona Kirwan on behalf of United States of America <i>Joint Notice of Entry of Proposed Consent Decree</i> (Kirwan, Tanya)
11/07/2007	<u>80</u>	CONSENT DECREE. Signed by Judge Michael P. Mills on 11/6/07. (tab, USDC)
11/07/2007	<u>81</u>	ORDER DISMISSING CASE without prejudice for statistical purposes. CASE CLOSED. Signed by Judge Michael P. Mills on 11/7/07. (lpm, USDC)
11/09/2007	<u>82</u>	NOTICE OF ENDORSEMENT by William Davis Frye on behalf of First National Bank of Pontotoc re <u>80</u> Order (Frye, William)
11/09/2007	<u>83</u>	NOTICE OF ENDORSEMENT by Cameron Morgan Abel on behalf of William W. Anderson re <u>80</u> Order (Abel, Cameron)
09/19/2008	<u>84</u>	MOTION for Disbursement of Funds <i>by All Parties</i> by United States of America. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit, # <u>3</u> Affidavit, # <u>4</u> Affidavit, # <u>5</u> Affidavit, # <u>6</u> Affidavit, # <u>7</u> Affidavit, # <u>8</u> Affidavit, # <u>9</u> Affidavit, # <u>10</u> Affidavit, # <u>11</u> Affidavit, # <u>12</u> Affidavit, # <u>13</u> Affidavit, # <u>14</u> Affidavit, # <u>15</u> Affidavit, # <u>16</u> Affidavit, # <u>17</u> Affidavit, # <u>18</u> Affidavit, # <u>19</u> Affidavit, # <u>20</u> Affidavit, # <u>21</u> Affidavit, # <u>22</u> Affidavit, # <u>23</u> Affidavit, # <u>24</u> Affidavit, # <u>25</u> Affidavit, # <u>26</u> Affidavit, # <u>27</u> Affidavit, # <u>28</u> Affidavit, # <u>29</u> Affidavit) (Dougherty, Burtis)
09/19/2008	<u>85</u>	AMENDED DOCUMENT <i>Certificate of Service Re #84</i> . (Dougherty, Burtis)
09/24/2008	<u>86</u>	ORDER granting <u>84</u> Motion for Disbursement of Funds. Signed by Mag. Judge Jerry A. Davis on 9/24/08. (egs, USDC)
09/24/2008	<u>87</u>	ORDER. Signed by Michael P. Mills on 9/24/08. (lpm, USDC)