

CLOSED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:91-cv-03367**

Simms, et al v. First Gibraltar Bank, et al  
Assigned to: Judge Kenneth M. Hoyt  
Demand: \$0  
Case in other court: 94-20386  
94-20386  
Cause: 42:405 Fair Housing Act

Date Filed: 11/15/1991  
Date Terminated: 07/31/1996  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Gordon D Simms**

represented by **Gordon D Simms**

P O Box 980482  
Houston, Tx 77098-0482  
713/523-9898  
PRO SE

**Raymond M Hill**

Raymond M Hill & Associates  
2650 Fountainview  
Ste 418  
Houston, TX 77057  
713-917-0966  
Fax: 713-917-0960 fax  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Robert Stanford**

**Plaintiff**

**Donna Rhodes**

**Plaintiff**

**Rosa Lee Faulkner**

**Plaintiff**

**Bernice Snowden**

**Plaintiff**

**Robert H Edwards**

**Plaintiff**

**Willie Bea Johnson**

**Plaintiff**

**Erma Woodard**

**Plaintiff**

**Barbara Woodard**

**Plaintiff**

**Naomi Taylor**

**Plaintiff**

**Joe Taylor**

**Plaintiff**

**Doris Mannings**

**Plaintiff**

**Vernon Mannings**

**Plaintiff**

**John Mannings**

**Plaintiff**

**Verna Sear**

**Plaintiff**

**Antonio Mannings**

**Plaintiff**

**Mary Nelson**

**Plaintiff**

**Delois Davis**

**Plaintiff**

**Marie Banks**

**Plaintiff**

**Bertha J Castle**

**Plaintiff**

**Shirley Huitt**

**Plaintiff**

**Ruth Huitt**

**DECEASED**

V.

**Defendant****First Gibraltar Bank, FSB**

represented by **Laura Gibson**  
 Ogden Gibson et al  
 711 Louisiana  
 Ste 2100  
 Houston, TX 77002  
 713-844-3000  
 Fax: 713-844-3030  
 Email: lgibson@ogwbl.com  
**LEAD ATTORNEY**  
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**Movant****David Deniger**

represented by **Craig Louis Weinstock**  
 Locke Liddell et al  
 600 Travis  
 Ste 3400  
 Houston, TX 77002  
 713-226-1320  
 Fax: 713-223-3717  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Bank of American NA of San Francisco****Defendant****California and Bank of American Corporation****Defendant****Bank of America Texa**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
02/05/1991	12	ORDER granting in part [6-1] motion to dismiss for failure to state a claim , entered; Parties notified. As to all former residents of Forest Apartments as well as Doris M. Mannings and Robert L. Stanford. ( signed by Kenneth M. Hoyt ) (bchurchill) (Entered: 02/06/1992)
11/15/1991	1	COMPLAINT filed; FILING FEE \$ 120.00 RECEIPT # 404498 (fmrempp) (Entered: 11/19/1991)
11/15/1991	2	ORDER , entered; Pltf to serve this order and attachments on defts. Parties may submit a revised dco n lt 2/3/92. Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) Modified on 11/19/1991 (Entered: 11/19/1991)

11/15/1991	3	SCHEDULING ORDER setting Joining of parties, amending of pleadings 3/16/92 ; Expert witness list submitted by 5/4/92 Discovery cutoff 9/8/92 ; Deadline for filing all dispositive motions 11/9/92 ; Deadline for filing non-dispositive motions 5/4/92 ; Pretrial order to be submitted on or before 4/26/93 ; Docket call deadline 11:30 5/3/93 ; ,entered; Parties notified ( Signed by Judge Kenneth M. Hoyt ) (fmrem) Modified on 11/19/1991 (Entered: 11/19/1991)
12/13/1991	4	FIRST AMENDED COMPLAINT by Gordon D Simms , (Answer due 12/23/91 for First Gibraltar Bank ) amending [1-1] complaint , filed. (bchurchill) (Entered: 12/16/1991)
12/13/1991		SUMMONS issued for First Gibraltar Bank (bchurchill) (Entered: 12/16/1991)
01/03/1992	5	RETURN OF SERVICE executed as to First Gibraltar Bank 12/17/91 answer due on 1/23/92 for First Gibraltar Bank (bchurchill) Modified on 01/08/1992 (Entered: 01/06/1992)
01/06/1992	6	MOTION to dismiss for failure to state a claim by First Gibraltar Bank, Motion Docket Date 1/26/92 [6-1] motion , filed (part 1 of #6) (bchurchill) (Entered: 01/07/1992)
01/06/1992	6	ANSWER to Complaint by First Gibraltar Bank (Added attorney Laura Gibson), filed. (part 2 of #6) (bchurchill) (Entered: 01/07/1992)
01/07/1992	7	ACKNOWLEDGEMENT OF SERVICE as to First Gibraltar Bank 1/3/92 filed Answer due on 1/23/92 for First Gibraltar Bank (bchurchill) (Entered: 01/07/1992)
01/16/1992	8	SUPERCEDING SCHEDULING ORDER setting Joining of parties, amending of pleadings 2/1/92 ; Expert witness list submitted by 3/16/92 ; Discovery cutoff 5/4/92 ; Deadline for filing all dispositive motions 6/1/92 ; Deadline for filing non-dispositive motions 3/16/92 ; Pretrial order to be submitted on or before 8/1/92 ; Docket call deadline 11:30 8/10/92 ; ,entered; Parties notified ( Signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 01/17/1992)
01/23/1992	9	RESPONSE by Gordon D Simms in opposition to [6-1] motion to dismiss for failure to state a claim , filed (bchurchill) (Entered: 01/24/1992)
01/28/1992	10	MOTION to reschedule the docket by Gordon D Simms, Motion Docket Date 2/17/92 [10-1] motion , filed (bchurchill) (Entered: 01/29/1992)
02/04/1992	11	SCHEDULING ORDER setting Joining of parties, amending of pleadings 5/11/92 ; Expert witness list submitted by 7/6/92 ; Discovery cutoff 11/9/92 ; Deadline for filing all dispositive motions 1/11/93 ; Deadline for filing non-dispositive motions 7/6/92 ; Pretrial order to be submitted on or before 6/21/93 ; Docket call deadline 11:30 7/12/93 ; ,entered; Parties notified ( Signed by Judge Kenneth M. Hoyt ) (bchurchill) (Entered: 02/05/1992)
04/16/1992	13	MOTION for reconsideration of [12-1] order , for leave to file Amended Complaint by Robert Stanford, Donna Rhodes, Rosa Lee Faulkner, Bernice Snowden, Robert H Edwards, Willie Bea Johnson, Erma Woodard, Marie Banks, Bertha J Castle, Shirley Huitt, Motion Docket Date 5/6/92 [13-1] motion, 5/6/92 [13-2] motion , filed (INDEX herewith loose in 1 brown expandable folder) (fmrem) (Entered: 04/20/1992)

05/11/1992	14	RESPONSE by First Gibraltar Bank to [13-1] motion for reconsideration of [12-1] order, [13-2] motion for leave to file Amended Complaint , filed (fmrempp) (Entered: 05/14/1992)
05/15/1992	15	ORDER denying [13-1] motion for reconsideration of [12-1] order denying [13-2] motion for leave to file Amended Complaint , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 05/19/1992)
07/01/1992	16	MOTION to amend [11-1] Scheduling order by Gordon D Simms, et al Motion Docket Date 7/21/92 [16-1] motion , filed (fmrempp) (Entered: 07/02/1992)
07/07/1992	17	FIRST AMENDED DOCKET CONTROL ORDER setting Expert witness list submitted by 11/27/92 ; Deadline for filing all dispositive motions 2/26/93 ; Deadline for filing non-dispositive motions 9/25/92 ; Pretrial order to be submitted on or before 6/21/93 ; Docket call deadline 11:30 7/12/93 ; , entered. Parties notified. ( Signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 07/09/1992)
07/23/1992	18	MOTION to substitute attorney Raymond M Hill by Gordon D Simms et al, Motion Docket Date 8/12/92 [18-1] motion , filed (fmrempp) (Entered: 07/28/1992)
07/29/1992	19	ORDER granting [18-1] motion to substitute attorney Raymond M Hill terminated Added Raymond M Hill , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 07/31/1992)
11/04/1992	20	MOTION for entry of amended docket control order by Gordon D Simms, Motion Docket Date 11/24/92 [20-1] motion filed (fmrempp) (Entered: 11/05/1992)
11/12/1992	21	RESPONSE by First Gibraltar Bank to [20-1] motion for entry of amended docket control order , filed (fmrempp) (Entered: 11/13/1992)
11/12/1992	22	MOTION to strike pltfs first set of interrogs and requet f/prouduction , or, in the alternative to abate pltfs first set of interrogs and request f/production , or, in the alternative for protective order by First Gibraltar Bank, Motion Docket Date 12/2/92 [22-1] motion, 12/2/92 [22-2] motion, 12/2/92 [22-3] motion , filed (fmrempp) (Entered: 11/16/1992)
11/19/1992	23	ORDER denying [20-1] motion for entry of amended docket control order , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 11/20/1992)
11/19/1992	24	ORDER granting [22-1] motion to strike pltfs first set of interrogs and requet f/prouduction granting [22-2] motion to abate pltfs first set of interrogs and request f/production , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 11/20/1992)
11/23/1992	25	RESPONSE by Gordon D Simms to [22-1] motion to strike pltfs first set of interrogs and requet f/prouduction, [22-2] motion to abate pltfs first set of interrogs and request f/production, [22-3] motion for protective order , filed (fmrempp) (Entered: 11/24/1992)
11/25/1992	26	MOTION for reconsideration of [24-1] order, [23-1] order by Gordon D Simms pltfs et al, Motion Docket Date 12/15/92 [26-1] motion , filed (bchurchill)

		Modified on 12/01/1992 (Entered: 12/01/1992)
11/25/1992	27	DESIGNATION OF EXPERT WITNESS LIST by Gordon D Simms pltfs et al filed. (bchurchill) (Entered: 12/01/1992)
11/27/1992	28	Defts Designation of EXPERT WITNESSES by First Gibraltar Bank filed. (fmrempp) (Entered: 12/01/1992)
11/30/1992	29	RESPONSE by First Gibraltar Bank in opposition to [26-1] motion for reconsideration of [24-1] order, [23-1] order , filed (bchurchill) (Entered: 12/02/1992)
12/09/1992	30	ORDER denying [26-1] motion for reconsideration of [24-1] order, [23-1] order , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 12/10/1992)
02/24/1993	31	MOTION for leave of court to file second amended [1-1] complaint (w/Exhibit (c) to Second Amended Complaint attached) by Gordon D Simms, Motion Docket Date 3/16/93 [31-1] motion , filed (fmrempp) (Entered: 02/25/1993)
02/26/1993	32	MOTION for summary judgment w/exhibits and affidavits attached by Gordon D Simms, Motion Docket Date 3/18/93 [32-1] motion , filed (fmrempp) (Entered: 03/01/1993)
03/08/1993	33	Notice of change of address of Laura Gibson atty for First Gibraltar Bank , filed. (fmrempp) (Entered: 03/08/1993)
03/15/1993	34	RESPONSE by First Gibraltar Bank in opposition to [31-1] motion for leave of court to file second amended [1-1] complaint , filed (fmrempp) (Entered: 03/17/1993)
03/18/1993	36	RESPONSE by First Gibraltar Bank to [32-1] motion for summary judgment , filed (fmrempp) (Entered: 03/19/1993)
03/18/1993	37	MOTION for continuance to file additional affidavits in support of First Gibraltar's response in opposition to pltf mtn f/summary judgment by First Gibraltar Bank, Motion Docket Date 4/7/93 [37-1] motion , filed (fmrempp) (Entered: 03/19/1993)
03/18/1993	38	OBJECTION by First Gibraltar Bank to [32-1] motion for summary judgment evidence , filed. (fmrempp) Modified on 03/22/1993 (Entered: 03/19/1993)
03/19/1993	35	REPLY by Gordon D Simms to response to [31-1] motion for leave of court to file second amended [1-1] complaint , filed (fmrempp) (Entered: 03/19/1993)
03/24/1993	39	ORDER granting in part [31-1] motion for leave of court to file second amended [1-1] complaint denying [32-1] motion for summary judgment, entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (ealexander) (Entered: 03/25/1993)
04/21/1993	40	NOTICE of Name Change by First Gibraltar Bank , filed (fmrempp) (Entered: 04/22/1993)
04/23/1993	41	ORDER denying [32-1] motion for summary judgment , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrempp) (Entered: 04/26/1993)

04/23/1993	42	ORDER granting [38-1] Defts objection to Pltfs motion for summary judgment. entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) (Entered: 04/26/1993)
04/23/1993	43	ORDER denying [37-1] motion for continuance to file additional affidavits in support of First Gibraltar's response in opposition to pltf mtn f/summary judgment , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) (Entered: 04/26/1993)
06/18/1993	44	SECOND AMENDED COMPLAINT by Gordon D Simms , (Answer due 6/28/93 for First Gibraltar Bank ) amending [1-1] complaint adding Bank of America NA, California and Bank, Bank of America Texa, filed. (fmremf) (Entered: 06/21/1993)
06/18/1993	45	MOTION in limine by Gordon D Simms, Motion Docket Date 7/8/93 [45-1] motion , filed (fmremf) (Entered: 06/21/1993)
06/18/1993	46	FIRST MOTION for continuance by Gordon D Simms, Motion Docket Date 7/8/93 [46-1] motion , filed (fmremf) (Entered: 06/21/1993)
06/21/1993	47	MOTION in limine by First Gibraltar Bank, Motion Docket Date 7/11/93 [47-1] motion , filed (fmremf) (Entered: 06/21/1993)
06/21/1993	48	PRE-TRIAL ORDER by Gordon D Simms, First Gibraltar Bank , filed (fmremf) (Entered: 06/24/1993)
06/22/1993	49	OBJECTION to Pltfs Trial Exhibits by First Gibraltar Bank , filed. (fmremf) (Entered: 06/24/1993)
06/28/1993	50	OBJECTIONS to Deft's Trial Exhibits, by Gordon D Simms , filed. (fmremf) (Entered: 06/29/1993)
07/12/1993	51	ORDER granting Pltfs [46-1] motion for continuance set jury trial for 11:30 9/13/93 , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) Modified on 07/13/1993 (Entered: 07/13/1993)
07/12/1993	52	Minute entry: granting [46-1] motion for continuance; Appearances of Raymond Hill for Pltf & Laura Gilson for Deft; Pltf request conference prior to next docket call - granted; Ct Reporter: W. Faris, filed. (ealexander) (Entered: 07/15/1993)
09/13/1993	53	Minute entry: Jury tril held on 9/13/93; App: Hill f/pltf and Gibson f/deft. terminated deadlines Prys announced Ready for trial. Jury trial requested. Attys' problems w/i the next 2 months: Atty Hill Oct 8-24/93. Atty Gibson Sept 29- Oct 4/93. Mr Deniger out of town week of 9/13/93. A number of out of town witnesses - would request 40 hours notice., entered. Parties ntf. ( Signed by Judge Kenneth M. Hoyt ) (fmremf) Modified on 09/22/1993 (Entered: 09/15/1993)
09/28/1993	54	ORDER: Pltfs [45-1] motion in limineand Defts [47-1] motion in limine are DENIED without prejudice to the re-urging of same at the pre-trial conference, entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) (Entered: 09/30/1993)
10/18/1993		Change Address for Raymond M Hill and remailed out Order #54. (fmremf) (Entered: 10/18/1993)

10/22/1993	55	RESPONSE by Gordon D Simms to [47-1] motion in limine , filed (mgore) (Entered: 10/26/1993)
10/26/1993	56	AMENDED MOTION in limine by Gordon D Simms, Motion Docket Date 11/15/93 [56-1] motion , filed. (fmrem) (Entered: 10/27/1993)
10/28/1993	57	MOTION for severance and other related relief by Doris Mannings, Robert Stanford, Motion Docket Date 11/17/93 [57-1] motion , filed. (fmrem) (Entered: 10/29/1993)
11/03/1993	58	NOTICE of Proposed Testimony and Documents and Proposed Jury Instructions including Charge by Gordon D Simms , filed (fmrem) (Entered: 11/04/1993)
11/04/1993	59	MOTION to quash trial subpoena of Mr David Deniger by David Deniger, Motion Docket Date 11/24/93 [59-1] motion , filed. (fmrem) (Entered: 11/05/1993)
11/08/1993	60	OBJECTION and Opposition by Gordon D Simms to [59-1] motion to quash trial subpoena of Mr David Deniger , filed. (fmrem) (Entered: 11/10/1993)
11/17/1993	61	ORDER granting [59-1] motion to quash trial subpoena of Mr David Deniger , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 11/18/1993)
12/10/1993	62	UNOPPOSED MOTION for continuance of trial by First Gibraltar Bank, Motion Docket Date 12/30/93 [62-1] motion , filed. (fmrem) (Entered: 12/13/1993)
12/10/1993	63	ORDER granting First Gibraltar Bank [62-1] motion for continuance of trial , entered; Parties notified. ( signed by Judge Kenneth M. ) (fmrem) (Entered: 12/13/1993)
12/23/1993	64	EMERGENCY MOTION to require attendance of witness at trial by Gordon D Simms, Motion Docket Date 1/12/94 [64-1] motion , filed. (fmrem) Modified on 01/06/1994 (Entered: 12/28/1993)
12/23/1993	65	JOINDER by Gordon D Simms in support of [57-1] motion for severance and other related relief , filed (fmrem) (Entered: 12/28/1993)
12/23/1993	65	MOTION for ruling on mtn for severance , and for finiding of fact and conclusions of law in respect to the denial by this Ct of all claims of the Tenants of Forest Apartments by Gordon D Simms, Motion Docket Date 1/12/94 [65-1] motion, 1/12/94 [65-2] motion , filed. (fmrem) (Entered: 12/28/1993)
12/30/1993	66	RESPONSE by First Gibraltar Bank to Pltfs Emergency [64-1] motion to require attendance of witness at trial , filed (fmrem) (Entered: 01/03/1994)
01/03/1994	67	ORDER denying Deft's [65-1] motion for ruling on mtn for severance , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 01/04/1994)
01/03/1994	68	RESPONSE by First Gibraltar Bank to [65-1] motion for ruling on mtn for severance , filed (fmrem) (Entered: 01/04/1994)
01/05/1994	69	REPLY by Gordon D Simms to Defts response to Emergency [64-1] motion to require attendance of witness at trial, filed (fmrem) (Entered: 01/06/1994)



01/05/1994	70	REPLY by Gordon D Simms to Defts response to [65-1] motion for ruling on mtn for severance, [65-2] motion for finiding of fact and conclusions of law in respect to the denial by this Ct of all claims of the Tenants of Forest Apartments , filed (fmremf) (Entered: 01/06/1994)
01/07/1994	71	ORDER denying Pltf's [64-1] motion to require attendance of witness at trial , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) (Entered: 01/10/1994)
01/07/1994	72	ORDER overruling [65-2] motion for finiding of fact and conclusions of law in respect to the denial by this Ct of all claims of the Tenants of Forest Apartments, overruling [60-1] objection motion, overruling [57-1] motion for severance and other related relief, overruling [56-1] motion in limine , entered; If there is any need to reconsider any of these matters it will be done at the time of trial. Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmremf) Modified on 01/11/1994 (Entered: 01/11/1994)
01/18/1994		Rec'd exhibits (previously filed); proposed Jury Instructions , frwd to CRD. (fmremf) (Entered: 01/20/1994)
01/31/1994	73	SUPPLEMENTAL AUTHORITY Regarding Non-Admissability of Dept of Housing and Urban Development Determination of No Reasonable Cause Dated October 25, 1990, by First Gibraltar Bank , filed (fmremf) (Entered: 02/01/1994)
02/01/1994	74	AMENDED MOTION in limine by First Gibraltar Bank, Motion Docket Date 2/21/94 [74-1] motion , filed. (fmremf) (Entered: 02/03/1994)
02/01/1994	75	BENCH BRIEF On Admissibility of HUD Determination Report, by First Gibraltar Bank , filed. (fmremf) (Entered: 02/03/1994)
02/01/1994	76	JURY TRIAL (1st day) held on 2/1/94. Apps: Hill f/pltf; Gibson f/deft; granting in part, denying in part; [74-1] motion in limine; deferred in part - voir dire. Jury selected and sworn. terminated deadlines Ct Reporter: J Schaeffer. Continued to 2/2/94. (fmremf) (Entered: 02/03/1994)
02/02/1994	77	JURY TRIAL (day 2) held on 2/2/94. Apps: Same as day one. Pltf evidence continues. Ct Reporter: J Schaeffer , filed. (fmremf) (Entered: 02/03/1994)
02/03/1994	78	3rd Day Jury trial held before Judge Kenneth M. Hoyt; App: Same as day one. Pltf evidence continues. Ct Reporter: Schaffer (fmremf) (Entered: 02/09/1994)
02/08/1994	79	Proposed AMENDED Jury instructions and Jury Questions by First Gibraltar Bank , filed (fmremf) Modified on 02/11/1994 (Entered: 02/11/1994)
02/08/1994	80	4th Day Jury trial held before Judge Kenneth M. Hoyt Ct Reporter: J Schaeffer App: Hill f/pltf and Gibson f/deft. (fmremf) (Entered: 02/11/1994)
02/09/1994	82	5th Day Jury trial held before Judge Kenneth M. Hoyt App: Same as first day. Ct Reporter: J Schaffer (fmremf) (Entered: 02/14/1994)
02/09/1994	83	TRIAL BRIEF at the close of Pltf's Evidence and Before the Presentation of Deft's Evidence upon Questions relating to Pltf's Prima Facia Burden by Gordon D Simms , filed (fmremf) (Entered: 02/14/1994)

02/09/1994	84	TRIAL BRIEF In Support of the Pltf's Mtn to Restrict Defts Evidence and Offers thereof relating to Defts' Claimed Defense of Legitimate Commercial or Non-Racially related business Reasons by Gordon D Simms , filed (fmrem) (Entered: 02/14/1994)
02/09/1994	85	Defts BRIEF on Admissibility of HUD Determination Report by First Gibraltar Bank , filed. (fmrem) (Entered: 02/14/1994)
02/09/1994	86	MOTION for directed verdict by First Gibraltar Bank, Motion Docket Date 3/1/94 [86-1] motion , filed. (fmrem) (Entered: 02/14/1994)
02/09/1994	86	TRIAL MEMORANDUM OF LAW by First Gibraltar Bank , filed. (fmrem) (Entered: 02/14/1994)
02/09/1994	87	Voir dire questions by First Gibraltar Bank , filed (fmrem) (Entered: 02/14/1994)
02/09/1994	88	Supplemental Bill of Exceptions of Testimony of Scott Gesell by First Gibraltar Bank , filed (fmrem) (Entered: 02/14/1994)
02/09/1994	89	TRANSCRIPT OF PROCEEDINGS of Excerpt of Proceedings for dates of 2/2/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 02/14/1994)
02/09/1994	98	Proposed Jury instructions by Gordon D Simms , filed (fmrem) (Entered: 02/17/1994)
02/10/1994	<a href="#">81</a>	ORDER , to provide the jury, consisting of 7 members and one security personnel with their meal on the 10th day of February 1994. entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 02/14/1994)
02/10/1994	90	Jury instructions, filed (fmrem) (Entered: 02/15/1994)
02/10/1994	91	NOTICE of Receipt for Withdrawal of Exhibits by Raymond Hill, attny for Gordon D Simms , filed (fmrem) (Entered: 02/15/1994)
02/10/1994	<a href="#">96</a>	ORDER on Second Supplemental Bill of Exceptions on testimony of Scott Gesell. , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 02/16/1994)
02/10/1994	97	SUPPLEMENT to [88-1] Bill of Exceptions on Testimony of Scott Gesell by First Madison Bank, First Gibraltar Bank , filed. (oeod 2/10/94) (fmrem) (Entered: 02/24/1994)
02/11/1994	92	Jury notes filed (fmrem) (Entered: 02/15/1994)
02/11/1994	93	JURY TRIAL held on 2/11/94. Jury finds for plaintiff in the amounts of \$1,200,000 and \$2,000,000. Motions for attnys fees to be submitted. Ct Reporter: J Schaeffer , filed. (fmrem) (Entered: 02/15/1994)
02/11/1994	94	Exhibit list by First Gibraltar Bank , filed (fmrem) (Entered: 02/15/1994)
02/11/1994	95	Exhibit list by Gordon D Simms , filed (fmrem) (Entered: 02/15/1994)
02/18/1994	99	MOTION for recovery of attorney fees , and for expenses of costs and interest by Gordon D Simms, Motion Docket Date 3/10/94 [99-1] motion, 3/10/94 [99-2] motion , filed. (fmrem) (Entered: 02/24/1994)

02/22/1994	100	TRANSCRIPT OF PROCEEDINGS of Excerpt of Proceedings for dates of 2/10/94 before Judge Hoyt , filed. ( Court Rptr: J Schaefer) (fmrem) (Entered: 02/26/1994)
02/28/1994	101	RESPONSE by First Gibraltar Bank to [99-1] motion for recovery of attorney fees, [99-2] motion for expenses of costs and interest , filed. (fmrem) (Entered: 03/01/1994)
03/01/1994	102	REPLY by Gordon D Simms et al to response to [99-1] motion for recovery of attorney fees, [99-2] motion for expenses of costs and interest , filed (fmrem) (Entered: 03/01/1994)
03/21/1994	<a href="#">103</a>	ORDER denying Deft's [86-1] motion for directed verdict ; granting Pltf's [99-1] motion for recovery of attorney fees; granting [99-2] motion for expenses of costs and Denied as to pltf request for prejudgment interest., entered; notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 03/22/1994)
03/21/1994	<a href="#">104</a>	FINAL JUDGMENT on behalf of Gordon D Simms against First Gibraltar Bank, FSB now known as First Madison Bank , entered. Parties ntfd. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 03/22/1994)
03/21/1994		Case closed (fmrem) (Entered: 03/22/1994)
03/31/1994	105	MOTION requesting the Ct to relieve them form its order of 2/6/92 by Doris Mannings et al, Motion Docket Date 4/20/94 [105-1] motion , filed. (fmrem) (Entered: 04/01/1994)
03/31/1994	106	RENEWED MOTION for judgment as a matter of law , or, in the alternative for new trial by First Gibraltar Bank, Motion Docket Date 4/20/94 [106-1] motion, 4/20/94 [106-2] motion , filed. (fmrem) (Entered: 04/01/1994)
03/31/1994		Rec'd Exhibits B and C for First Madison's Renewed Mtn for Judgment as a Matter of Law or, in the Alternative, Mtn for New Trial. (fmrem) (Entered: 04/04/1994)
04/11/1994	107	RESPONSE by Gordon D Simms to [106-1] motion for judgment as a matter of law, [106-2] motion for new trial , filed. (fmrem) (Entered: 04/13/1994)
04/15/1994	108	RESPONSE by First Gibraltar Bank to [105-1] motion requesting the Ct to relieve them form its order of 2/6/92 , filed. (fmrem) (Entered: 04/18/1994)
04/18/1994	<a href="#">109</a>	ORDER denying Deft's [106-1] motion for judgment as a matter of law; denying [106-2] motion for new trial and Granted in part [105-1] motion requesting the Ct to relieve them form its order of 2/6/92. The case is severed from the Gordon D Simms' case and permitted to proceed. , entered; Parties notified. ( signed by Judge Kenneth M. Hoyt ) (fmrem) (Entered: 04/20/1994)
04/22/1994	110	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 1) for dates of 2/1/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/22/1994)
04/22/1994	111	TRANSCRIPT OF PROCEEDINGS of Hrg (vol III) for dates of 2/3/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/22/1994)
04/22/1994	112	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 5) for dates of 2/9/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/22/1994)

04/22/1994	113	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 6) for dates of 2/10/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/22/1994)
04/22/1994	114	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 7) for dates of 2/11/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/22/1994)
04/26/1994	115	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 2) for dates of 2/2/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/26/1994)
04/26/1994	116	TRANSCRIPT OF PROCEEDINGS of Hrg (vol 4) for dates of 2/8/94 before Judge Hoyt , filed. ( Court Rptr: Schaefer) (fmrem) (Entered: 04/26/1994)
05/13/1994	117	NOTICE OF APPEAL of [109-1] order, [104-1] order, and all intermediate orders - by First Gibraltar Bank , filed. (bwhite) (Entered: 05/18/1994)
05/18/1994		Notice of appeal and certified copy of docket transmitted to USCA: [117-1] appeal (bwhite) (Entered: 05/18/1994)
05/20/1994		Appeal Filing Fee Paid; FILING FEE \$ 105 RECEIPT # 437129 (bwhite) (Entered: 05/23/1994)
05/20/1994	118	Transcript request [117-1] appeal on by Ct Reporter: J Schaefer, filed. (fmrem) (Entered: 06/03/1994)
05/27/1994		NOTICE of Docketing ROA from USCA Re: [117-1] appeal USCA NUMBER: 94-20386 (bwhite) (Entered: 05/27/1994)
06/01/1994	119	MOTION to supplement record by First Gibraltar Bank, Motion Docket Date 6/21/94 [119-1] motion , filed. (fmrem) (Entered: 06/03/1994)
06/03/1994	120	RESPONSE by Gordon D Simms to [119-1] motion to supplement record , filed. (fmrem) (Entered: 06/06/1994)
06/22/1994	<a href="#">121</a>	ORDER that Deft's [119-1] motion to supplement record is Denied in all respects, entered; Parties notified. ( signed by Judge Kenneth M. ) (fmrem) (Entered: 06/23/1994)
07/28/1994		Certified and transmitted record on appeal consisting of 6 vol rec, 2 exp fold w/exh, & 9 transcripts to U.S. Court of Appeals: [117-1] appeal Circuit No. 94-20386. Parties ntf. (bwhite) (Entered: 07/28/1994)
06/20/1996	122	Bill of costs in the amount of \$3,257.00 by deft, filed (fmrem) (Entered: 06/21/1996)
07/30/1996	123	JUDGMENT OF USCA (certified copy) 05/31/96 issued as mandate on 07/26/96 that the judgment in this cause is REVERSED and the cause is REMANDED to the DC for further proceedings in accordance with the opinion of this Court....FURTHER ORDERED that plaintiff-appellee pay to defendant-appellant the costs on appeal to be taxed by the Clerk of this Court Re: [117-1] appeal , filed. [cca 94-20386] (mmapps) (Entered: 07/30/1996)
07/30/1996	124	Copy of USCA OPINION, filed. (mmapps) (Entered: 07/30/1996)
07/30/1996	125	Copy of Bill of Costs by USCA in the amount of \$ 505.00 against Gordon D Simms , filed. (mmapps) (Entered: 07/30/1996)

07/30/1996		Record on appeal returned from U.S. Court of Appeals:Rec'd 6 vol of record, 9 transcripts, 2 exp. fld. of exhibits, file reass'd last fld. to case mgr., remainder to filerom. (mmapps) (Entered: 07/30/1996)
07/30/1996		Case reopened (mmapps) (Entered: 07/30/1996)
07/31/1996	<a href="#">126</a>	FINAL JUDGMENT Pursuant to the mandate issued by the Circuit of Appeals this Pltf shall take nothing by their suit and the case is Dimsissed , entered. Parties ntf. ( signed by Judge Kenneth M. Hoyt ) (hlerma) (Entered: 08/01/1996)
07/31/1996		Case closed (hlerma) (Entered: 08/01/1996)
01/16/1997	127	The petition for a writ of certiorari filed with the Supreme Court has been denying; Court of Appeals #: 96-20386, filed. (bwhite) (Entered: 01/16/1997)

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