

CJRA-S, CLOSED, JURY

**U.S. District Court
Northern District of Mississippi (Western Division)
CIVIL DOCKET FOR CASE #: 3:05-cv-00071-NBB**

Equal Employment Opportunity Commission v. Hill
Brothers Construction & Engineering Company, Inc.
Assigned to: Neal B. Biggers
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/13/2005
Date Terminated: 11/16/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Charles E. Guerrier**
EEOC, BIRMINGHAM DISTRICT
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(205) 731-2067
Email: charles.guerrier@eeoc.gov
LEAD ATTORNEY
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V.

Defendant

Hill Brothers Construction & Engineering Company, Inc.

represented by **Thomas A. Wicker**
 HOLLAND RAY UPCHURCH & HILLEN
 P. O. Drawer 409
 Tupelo, MS 38802
 (662) 842-1721
 Email: taw@hruhpa.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 06/13/2005 | 1 | COMPLAINT against Hill Brothers Construction & Engineering Company, Inc., Jury Demand, , filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(kmt, USDC) |
| 06/13/2005 | 2 | NOTICE OF ASSIGNMENT. Case assigned to Judge Neal B. Biggers and Magistrate Judge Allan Alexander. (kmt, USDC) |
| 07/05/2005 | 3 | REQUEST FOR WAIVER of Service sent to Hill Brothers Construction & Engineering Company, Inc. on 6/30/05 by Mildred Byrd on behalf of Equal Employment Opportunity Commission. Waiver of Service due by 8/1/2005. (tab, USDC) |
| 07/22/2005 | 4 | ANSWER to Complaint by Hill Brothers Construction & Engineering Company, Inc..(Wicker, Thomas) |
| 07/25/2005 | 5 | INITIAL ORDER - RULE 16.1 Case Management Conference set for 9/8/2005 11:00 AM in Judge Alexander Chambers before S. Allan Alexander.Signed by Judge S. Allan Alexander on 7/25/05. (wsm, USDC) |
| 09/06/2005 | 6 | CORPORATE STATEMENT of Hill Brothers. (nsm, USDC) (Entered: 09/07/2005) |
| 09/08/2005 | 7 | NOTICE of Trial: MVD/Jury Trial set for 7/31/2006, 09:30 AM, in Oxford Courtroom 3 West, before Neal B. Biggers. (nfs, USDC) |
| 09/08/2005 | 8 | Minute Entry for proceedings held before Judge S. Allan Alexander : Case Management Conference held on 9/8/2005. (Court Reporter none.) |

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| | | (wsm, USDC) |
| 09/09/2005 | 9 | CASE MANAGEMENT ORDER: Case assigned to standard track. Final Pretrial Conference set for 6/13/2006 11:00 AM in Judge Alexander Chambers before S. Allan Alexander. Discovery due by 3/17/2006. Amendments/Joinder of Parties due by 10/8/2005. Plaintiffs Designation of Experts due by 12/17/2005. Defendants Designation of Experts due by 1/17/2006. Motions due by 3/31/2006. Signed by Judge S. Allan Alexander on 9/9/05. (wsm, USDC) |
| 09/12/2005 | 10 | NOTICE of Conference: Final Pretrial Conference set for 6/13/2006 11:00 AM in Judge Alexander Chambers before S. Allan Alexander. (wsm, USDC) |
| 03/06/2006 | 11 | First MOTION for Discovery <i>To Extend Discovery Deadline</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit proposed order)(Powe, Valerie) |
| 03/08/2006 | 12 | ORDER granting 11 Motion for Discovery . Signed by Judge S. Allan Alexander on 3/8/06. (kbt, USDC) |
| 03/08/2006 | | Set/Reset Case Management Order Deadlines: Discovery due by 4/17/2006. Motions due by 4/30/2006. (kbt, USDC) |
| 03/15/2006 | 13 | NOTICE OF SERVICE of Responses to Hill Brothers Construction & Engineering Company's Interrogatories and Requests for Production by Valerie Hicks Powe on behalf of Equal Employment Opportunity Commission to Hill Brothers Construction & Engineering Company, Inc.. (Powe, Valerie) |
| 05/30/2006 | 14 | MOTION in Limine <i>To Exclude Any Reference To Melanie Peacock's Employment History Prior to or Subsequent to Her Employment With Hill Brothers Construction</i> by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 05/30/2006 | 15 | MEMORANDUM IN SUPPORT re 14 MOTION in Limine <i>To Exclude Any Reference To Melanie Peacock's Employment History Prior to or Subsequent to Her Employment With Hill Brothers Construction</i> filed by EEOC. (Powe, Valerie) |
| 06/02/2006 | 16 | RESPONSE in Opposition re 14 MOTION in Limine <i>To Exclude Any Reference To Melanie Peacock's Employment History Prior to or Subsequent to Her Employment With Hill Brothers Construction</i> filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 06/02/2006 | 17 | MEMORANDUM IN OPPOSITION re 16 Response in Opposition to Motion, <i>to Plaintiff's Motion in Limine</i> . (Attachments: # 1 Exhibit A, B and C)(Wicker, Thomas) |
| 06/02/2006 | 18 | MOTION in Limine by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 06/02/2006 | 19 | MEMORANDUM IN SUPPORT re 18 MOTION in Limine. (Wicker, |

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| | | Thomas) |
| 06/08/2006 | 20 | NOTICE OF SERVICE of Supplemental Disclosure of Core Information by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to Plaintiff. (Wicker, Thomas) |
| 06/12/2006 | 21 | NOTICE of Attorney Appearance by John Mark Graham on behalf of Equal Employment Opportunity Commission (Graham, John) |
| 06/13/2006 | 22 | Minute Entry for proceedings held before Judge S. Allan Alexander : Final Pretrial Conference held on 6/13/2006. Pretrial Order due by 6/26/2006. (wsm, USDC) |
| 06/26/2006 | 23 | Joint MOTION to Continue <i>Trial</i> by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 06/28/2006 | 24 | NOTICE OF ENDORSEMENT by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. re 23 Joint MOTION to Continue <i>Trial</i> (Wicker, Thomas) |
| 06/29/2006 | 25 | ORDER granting 23 Motion to Continue . Signed by Judge Neal B. Biggers on 6/28/06. (tab, USDC) |
| 07/05/2006 | 26 | NOTICE Cancelling Jury Trial previously set before Judge Biggers 07/31/06 until further notice of the court. (gpk, USDC) |
| 10/11/2006 | 27 | NOTICE of Trial: MVD/Jury Trial set for 11/13/2006 09:30 AM in Oxford Courtroom 3 West before Neal B. Biggers. (nsm, USDC) |
| 11/06/2006 | 28 | NOTICE of Trial: MVD/Jury Trial RESET for 11/14/2006 09:30 AM in Oxford Courtroom 3 West before Neal B. Biggers. (nsm, USDC) |
| 11/07/2006 | 29 | MOTION to Continue <i>Trial Setting</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 11/08/2006 | 30 | RESPONSE in Opposition re 29 MOTION to Continue <i>Trial Setting</i> filed by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 11/08/2006 | 31 | PRETRIAL ORDER; Est. 2-day JURY TRIAL.. Signed by Judge Neal B. Biggers on 11/8/06. (nsm, USDC) |
| 11/08/2006 | 32 | ORDER denying 29 Motion to Continue and Setting Pretrial Conference. Signed by Judge Neal B. Biggers on 11/8/06. (nsm, USDC) |
| 11/08/2006 | 33 | NOTICE of Hearing on Pretrial Motions set for 11/13/2006 03:00 PM in Oxford Courtroom 3 West before Neal B. Biggers. (nsm, USDC) |
| 11/13/2006 | 34 | Minute Entry for proceedings held before Judge Neal B. Biggers : Motion Hearing held on 11/13/2006. (Court Reporter Rita Sisk.) (nsm, USDC) |
| 11/14/2006 | 35 | ORDER granting in part, denying in part 14 Motion in Limine, finding as moot 18 Motion in Limine . Signed by Judge Neal B. Biggers on 11/14/06. (tab, USDC) Modified on 11/14/2006 (tab, USDC). |
| 11/14/2006 | | Jury Impaneled. (nsm, USDC) (Entered: 11/16/2006) |

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| 11/14/2006 | | Minute Entry for proceedings held before Judge Neal B. Biggers : Jury Trial Began on 11/14/2006. Trial Continued to 11/15/06. (No Document Attached) (Court Reporter Rita Sisk.) (nsm, USDC) (Entered: 11/16/2006) |
| 11/15/2006 | 36 | Minute Entry for proceedings held before Judge Neal B. Biggers : Jury Trial completed on 11/15/2006. (Court Reporter Rita Sisk.) (nsm, USDC) (Entered: 11/16/2006) |
| 11/15/2006 | 37 | Exhibit List by Valerie Hicks Powe, Thomas A. Wicker on behalf of Equal Employment Opportunity Commission, Hill Brothers Construction & Engineering Company, Inc.. (nsm, USDC) Modified on 11/17/2006 (nsm, USDC). (Exhibits maintained in Clerk's Office) (Entered: 11/16/2006) |
| 11/15/2006 | 38 | Witness List by Valerie Hicks Powe, Thomas A. Wicker on behalf of Equal Employment Opportunity Commission, Hill Brothers Construction & Engineering Company, Inc.. (nsm, USDC) (Entered: 11/16/2006) |
| 11/15/2006 | 39 | Jury Instructions (Given and Refused)(nsm, USDC) (Entered: 11/16/2006) |
| 11/15/2006 | 40 | JURY VERDICT. (nsm, USDC) (Entered: 11/16/2006) |
| 11/16/2006 | 41 | CLERK'S JUDGMENT in favor of Plaintiff against Defendant. CASE CLOSED. Signed by Judge Unassigned on 11/15/06. (nsm, USDC) |
| 11/30/2006 | 42 | MOTION Post Judgment Equitable Relief by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 12/01/2006 | 43 | MOTION for Extension of Time to File Response/Reply as to 42 MOTION Post Judgment Equitable Relief by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 12/15/2006 | 44 | ORDER granting 43 Motion for Extension of Time to File Response/Reply re 43 MOTION for Extension of Time to File Response/Reply as to 42 MOTION Post Judgment Equitable Relief Responses due by 12/27/2006. Signed by Judge Neal B. Biggers on 12/13/06. (nsm, USDC) |
| 12/27/2006 | 45 | RESPONSE to Motion re 42 MOTION Post Judgment Equitable Relief filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 02/05/2007 | | TRANSCRIPT of Excerpt of Jury Trial held 11/14/06, Oxford before Judge Neal B. Biggers, Jr. Court Reporter: Rita Davis Sisk. (tab, USDC) |

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