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U. S. District Court Eastern District of Louisiana (New Orleans) CIVIL DOCKET FOR CASE #: 2:99-cv-02884-MVL-SS

EEOC v. Lakeside Imports Inc

Assigned to: Judge Mary Ann Vial Lemmon Referred to: Magistrate Judge Sally Shushan

Demand: \$0

Member case: (View Member Case)

Cause: 42:2000 Job Discrimination (Race)

Plaintiff

Equal Employment Opportunity Commission of Louisiana

Date Filed: 09/21/1999

Date Terminated: 07/07/2000

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs Jurisdiction: U.S. Government Plaintiff

represented by Gregory T. Juge

Equal Employment Opportunity

Commission

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504-595-2877

Email: gregory.juge@eeoc.gov

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ATTORNEY TO BE NOTICED

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Yancy A. Carter

Yancy A. Carter, Attorney at Law 34 Park Timbers Dr. P. O. Box 6785 New Orleans, LA 70131 504-394-7004

Intervenor Plaintiff

Eddie Boyd

TERMINATED: 06/02/2000

represented by Russell Allen Solomon

Solomon & Associates 1010 Common St. Suite 2950 New Orleans, LA 70112 504-569-9280 TERMINATED: 06/02/2000 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Intervenor Plaintiff

C Hunter King

TERMINATED: 06/02/2000

represented by Randy George McKee

Carter, Haley & McKee, LLC 650 Poydras Street Suite 2015 New Orleans, LA 70130 504-525-6836 Email: rmckee@haleymckee.com TERMINATED: 06/02/2000 LEAD ATTORNEY ATTORNEY TO BE NOTICED

V.

Defendant

Lakeside Imports Inc

doing business as Lakeside Toyota

represented by Ralph Joel Zatzkis

Fisher & Phillips LLP (Dallas)
4343 Thanksgiving Tower
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Movant

Crescent City Dodge, L.L.C. TERMINATED: 06/02/2000

represented by Allen Ray Fontenot, Jr.

Blessey Enterprises, Inc. 1515 River Oaks Rd. East Harahan, LA 70123 (504) 734-1156 TERMINATED: 06/02/2000 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Intervenor Defendant

Equal Employment Opportunity Commission of Louisiana *TERMINATED: 06/02/2000*

Intervenor Defendant

Eddie Boyd

TERMINATED: 06/02/2000

Intervenor Defendant

Russell A Solomon

TERMINATED: 06/02/2000

Intervenor Defendant

Lakeside Imports Inc

TERMINATED: 06/02/2000

doing business as Lakeside Toyota

Intervenor Defendant

Anthony Gullo

TERMINATED: 06/02/2000

Intervenor Defendant

Keith Hanks

TERMINATED: 06/02/2000

Intervenor Defendant

John Prendel

TERMINATED: 06/02/2000

Intervenor Defendant

Chris Mohrman

TERMINATED: 06/02/2000

Date Filed	#	Docket Text	
09/21/1999	1	COMPLAINT (1 summons(es) issued) (ijg) (Entered: 09/22/1999)	
09/21/1999		Automatic Referral (Utility Event) to Magistrate Sally Shushan (ijg) (Entered: 09/22/1999)	
11/17/1999	2	ANSWER by defendant Lakeside Imports Inc to complaint by plaintiff EEOC [1-1] (ijg) (Entered: 11/18/1999)	
12/10/1999	3	MINUTE ENTRY(12/9/99): Prelim Conf by phone is set bfr Mag Judge at 9:0 a.m. on 12/21/99 by Mag Sally Shushan (ijg) (Entered: 12/10/1999)	
12/14/1999	4	Motion by intervenor Eddie Boydi for leave to intervene and ORDER to see M.E. dated 12/16/99 by Magistrate Sally Shushan Date Signed: 12/16/99 (ijg) (Entered: 12/20/1999)	
12/17/1999	<u>5</u>	MINUTE ENTRY(12/16/99): ORDERED that the mtn of Eddie Boyd to intervene is GRANTED by Magistrate Sally Shushan (ijg) (Entered: 12/20/1999)	
12/20/1999	6	Intervenor's COMPLAINT by intervenor-plaintiff Eddie Boyd; 1 summons(es) issued (ijg) (Entered: 12/20/1999)	

12/20/1999	7	Written report of Rule 26(f) of FRCP meeting held by phone on 11/30/99 filed by pla EEOC (ijg) (Entered: 12/20/1999)			
12/22/1999	8	MINUTE ENTRY(12/21/99): A phone status conf was held this date to discuss disc issues; each side ltd to 20 depos not to exceed 7 hours each; initial depos will be taken during the week of 1/10/00 as set out in doc by Mag Sally Shushan (ijg) (Entered: 12/22/1999)			
12/22/1999	9	MINUTE ENTRY (12/21/99): Preliminary Conf held; amendments due 30 day from prelim conf; pretrial conf set 10:00 9/5/00, & jury trial set 8:30 9/18/00 sulto 28:636(c) consent of the parties; proposed voir dire & jury charges due 8/31/0 by Magistrate Sally Shushan (ijg) (Entered: 12/22/1999)			
12/30/1999	10	ANSWER by defendant Lakeside Imports Inc to complaint for intervention by intervenor-plaintiff Eddie Boyd [6-1] (ijg) (Entered: 01/03/2000)			
01/20/2000	<u>11</u>	Consent to trial and Order referring case to Magistrate Sally Shushan pursuant to 28 USC 636(c) by Judge Mary Ann Vial Lemmon Date Signed 1/19/00 (ijg) (Entered: 01/20/2000)			
01/20/2000	12	AMENDED ANSWER by dft Lakeside Imports Inc to pla's cmp [2-1] pursuant to Mag Judge Shushan's M.E. of 12/21/99 (ijg) (Entered: 01/20/2000)			
02/04/2000	13	RETURN OF SERVICE of summons and complaint in intervention upon defendant Lakeside Imports Inc on 1/20/00 (ijg) (Entered: 02/04/2000)			
02/14/2000	<u>14</u>	MINUTE ENTRY(2/11/00): A phone status conf was held this date to discuss disc issues; depos to be sched as set out in doc by Magistrate Sally Shushan (ijg) (Entered: 02/14/2000)			
02/29/2000	<u>15</u>	MINUTE ENTRY(2/28/00): A phone conf was held this date re the depo of Mr Osang; the rule for future depos is as follows: a pty or one designated corp representative may attend any depo; unless otherwise ordered by the court, no other witnesses may attend depos by Mag Sally Shushan (ijg) (Entered: 02/29/2000)			
03/14/2000	16	MOTION by dft Lakeside Imports Inc to compel discovery to be heard before Mag Judge Shushan at 9:00 3/29/00 (ijg) (Entered: 03/15/2000)			
03/20/2000	<u>19</u>	Motion by movant Crescent City Dodge for hrg and ORDER that its motion for protective order &/or to quash subp d/t [18-1] will be submitted on briefs on 4/5/00; opp memo due 3/28/00 Magistrate Sally Shushan Date Signed: 3/21/00 (ijg) (Entered: 03/22/2000)			
03/21/2000	17	Memo in opposition by plaintiff EEOC to motion to compel discovery [16-1] filed by defendant Lakeside Imports Inc (ijg) (Entered: 03/21/2000)			
03/22/2000	18	MOTION by movant Crescent City Dodge for protective order &/or to quash subp d/t to be heard before Mag Judge Shushan on the briefs on 4/5/00 (ijg) (Entered: 03/22/2000)			
03/24/2000	<u>22</u>	Motion by defendant Lakeside Imports Inc and ORDER for leave to file memo in reply to pla's opp to dft's mtn to compel by Magistrate Sally Shushan Date Signed: 3/28/00 (ijg) (Entered: 03/28/2000)			

03/24/2000	<u>25</u>	Motion by plaintiff EEOC for exp hrg & ORDER that its motion for protective order requiring sequestration of certain witnesses during depo testimony [24-1] set for hrg W/ORAL ARGUMENT BY PHONE at 9:00 4/4/00; the Court shall rule upon said mtn bfr 4/13/00 by Magistrate Sally Shushan Date Signed: 3/31/0 (ijg) (Entered: 04/03/2000)			
03/27/2000	20	Memo in opposition by defendant Lakeside Imports Inc to motion for protective order &/or to quash subp d/t [18-1] filed by movant Crescent City Dodge (ijg) (Entered: 03/28/2000)			
03/27/2000	21	Memo in opposition by defendant Lakeside Imports Inc to mtn for protective order filed by plaintiff EEOC (ijg) (Entered: 03/28/2000)			
03/28/2000	23	Reply memo by defendant Lakeside Imports Inc to pla's opp to its motion to compel discovery [16-1] (ijg) (Entered: 03/28/2000)			
03/30/2000	<u>27</u>	Motion by plaintiff EEOC and ORDER for leave to file 1st amd cmp by Magistrate Sally Shushan Date Signed: 3/31/00 (ijg) (Entered: 04/03/2000)			
03/31/2000	24	MOTION by plaintiff EEOC for protective order requiring sequestration of certain witnesses during depo testimony to be heard before Mag Judge Shushan at 9:00 4/4/00 (ijg) (Entered: 04/03/2000)			
03/31/2000	<u>26</u>	MINUTE ENTRY(3/31/00): ORDERED that Crescent City Dodge's motion for protective order &/or to quash subp d/t [18-1] is DENIED; Crescent City Dodge is ORDERED to comply w/the subp; Lakeside is to provide copies of all docs produced to all counsel by Magistrate Sally Shushan (ijg) (Entered: 04/03/2000)			
03/31/2000	28	PLAINTIFF'S 1st AMENDED complaint [1-1]; no new parties added (ijg) (Entered: 04/03/2000)			
04/06/2000	29	USM'S RETURN OF SERVICE of subp to Scott Schneider of Fisher & Phillips svd 3/31/00 (ijg) (Entered: 04/06/2000)			
04/06/2000	30	USM'S RETURN OF SERVICE of subp to John Prindel, Keith Hanks svd 4/3/00 (ijg) (Entered: 04/06/2000)			
04/10/2000	<u>35</u>	Motion by plas Damian Duplessis, et al & ORDER that the case is re-assigned to Mag Judge Shushan, Division 1, so that it can be consol w/CA 99-2884 by Judge Mary Ann Vial Lemmon Date Signed: 4/11/00 (Ref 99-3733) (ijg) (Entered: 04/13/2000)			
04/11/2000	<u>31</u>	Motion by plaintiffs in 99-3733 Damian Duplessis, Jonathan Jones, Denoid Moran, Darren Morris, Marcus Morris and ORDER consolidating case 99-3733 w/member case 99-2884 by Judge Mary Ann Vial Lemmon Date Signed: 4/11/00 (pck) (Entered: 04/13/2000)			
04/11/2000	<u>32</u>	Motion by defendant Lakeside Imports Inc and ORDER expediting hrg on dft's mtn for proto on 4/12/00 at 10:30am by phone by Magistrate Sally Shushan Date Signed: 4/12/00 (REF: 99-2884) (pck) (Entered: 04/13/2000)			
04/12/2000	33	MOTION by defendant Lakeside Imports Inc for protective order to be heard before Mag Judge Shushan at 10:30 4/12/00 (REF: 99-2884) (pck) (Entered: 04/13/2000)			

04/12/2000	36	USM'S RETURN OF SERVICE of subp on Chris Mohrman on 4/10/00 (Ref 99-2884) (ijg) (Entered: 04/13/2000)			
04/13/2000	<u>34</u>	Notice of consolidation: Clerk to maintain a master file and all entries to be made on the master docket sheet w/the exception of orders or docs that terminate a party or a case (REF: BOTH CASES) (pck) Modified on 04/13/2000 (Entered: 04/13/2000)			
04/14/2000	<u>37</u>	Motion by defendant Lakeside Imports Inc and ORDER that the time w/in which dft must answer pla's amended cmp is ext until 4/24/00 by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 04/17/2000)			
04/18/2000	<u>38</u>	MINUTE ENTRY(4/17/00): ORDERED that pla's mtn for protective order requiring sequestration of certain witnesses during depo testimony [24-1] is DENIED by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 04/19/2000)			
04/18/2000	<u>39</u>	MINUTE ENTRY(4/18/00): ORDERED that dft Lakeside Imports Inc's motion for protective order [33-1] is GRANTED by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 04/19/2000)			
04/18/2000	<u>40</u>	Motion by dfts Lakeside Imports Inc, & Anthony Gullo & ORDER that the lar firm of Shows Cali & Berthelot LLP, & E Wade Shows, & Sheri Marcus Morbbe entered as counsel of record by Magistrate Sally Shushan Date Signed: 4/19/00 (Ref both cases) (ijg) (Entered: 04/20/2000)			
04/26/2000	41	ANSWER by dft Lakeside Imports Inc to 1st amd complaint by plaintiff EEOC [28-1] (Ref 99-2884) (ijg) (Entered: 04/26/2000)			
04/27/2000	<u>42</u>	MINUTE ENTRY(4/26/00): ORDERED that dft Lakeside Imports Inc's motion to compel discovery [16-1] is DISMISSED AS MOOT IN PART, GRANTED IN PART by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 04/27/2000)			
05/04/2000	<u>43</u>	Motion by pla EEOC & ORDER that a status conf by phone is set 11:00 5/17/00; Greg Juge will initiate the call by Mag Sally Shushan Date Signed: 5/5/00 (Ref both cases) (ijg) (Entered: 05/08/2000)			
05/08/2000	44	Motion by intervenor Eddie Boyd & ORDER that same has until 5/22/00 to forward expert reports to dfts by Magistrate Sally Shushan Date Signed: 5/10/00 (Ref both cases) (ijg) (Entered: 05/10/2000)			
05/10/2000	45	USM's RETURN OF SERVICE of subps upon WWL-TV/Channel 4, WGNO-TV/ABC 26, WDSU-TV/Channel 6, WVUE-TV (Fox 8) on 5/9/00 (REF: 99-2884) (pck) Modified on 06/02/2000 (Entered: 05/11/2000)			
05/11/2000	46	MOTION by plaintiff EEOC to reconsider order compelling prod of the open admin case files of Greg Quirk & David Oseng w/req for oral argument to be heard before Mag Judge Shushan at 9:00 5/31/00 (Ref both cases) (ijg) (Entered: 05/11/2000)			
05/11/2000	<u>47</u>	Motion by plaintiff EEOC & ORDER that Yancy A. Carter be added as co-counsel of record by Magistrate Sally Shushan Date Signed: 5/12/00 (Ref 99-2884) (ijg) (Entered: 05/12/2000)			
05/12/2000	<u>49</u>	Motion by intervenor-plaintiff Eddie Boyd and ORDER for leave to file 1st suppl & amd cmp of intv by Magistrate Sally Shushan Date Signed: 5/15/00 (Ref both cases) (ijg) (Entered: 05/16/2000)			

05/15/2000	48	MINUTE ENTRY(5/12/00): ORDERED that ORAL ARGUMENT will be held on pla's mtn to reconsider order compelling prod on 5/31/00 at 9:00 a.m. by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 05/15/2000)			
05/15/2000	50	Intervenor's 1st suppl & amd cmp by intervenor-plaintiff Eddie Boyd (Ref both cases) (ijg) (Entered: 05/16/2000)			
05/15/2000	<u>51</u>	MOTION by intervenor-pla C Hunter King for leave to file cmp for inty to be heard before Mag Judge Shushan at 5/31/00 on the briefs w/o oral argument by Mag Judge Shushan (Ref both cases) (ijg) (Entered: 05/16/2000)			
05/18/2000	<u>52</u>	MINUTE ENTRY(5/17/00): ORDERED that all pleadings be filed w/the conscaption by Magistrate Sally Shushan (REF: 99-2884, 99-3733) (pck) Modified 05/18/2000 (Entered: 05/18/2000)			
05/18/2000	<u>53</u>	MINUTE ENTRY(5/17/00): Status Conf was held 11:00 5/17/00; deadlines set as stated herein by Magistrate Sally Shushan (REF: 99-2884, 99-3733) (pck) (Entered: 05/18/2000)			
05/22/2000	<u>54</u>	PROTECTIVE ORDER by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 05/22/2000)			
05/22/2000	55	Memo in opposition by defendant Lakeside Imports Inc to motion to reconsider order compelling prod of the open admin case files of Greg Quirk & David Oseng [46-1] filed by plaintiff EEOC (Ref 99-2884) (ijg) (Entered: 05/22/2000)			
05/25/2000	<u>56</u>	Consent to trial and Order referring case to Magistrate Sally Shushan pursuant to 28 USC 636(c) by Judge Mary Ann Vial Lemmon Date Signed 5/24/00 (Ref 99-3733) (ijg) (Entered: 05/25/2000)			
05/25/2000	<u>57</u>	MINUTE ENTRY(5/24/00): Settlement conference set 2:00 5/31/00; settlement letters due 5/30/00 by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 05/25/2000)			
05/26/2000	<u>58</u>	MINUTE ENTRY(5/25/00): ORDERED that the M.E. of 5/24/00 scheduling a settlement conf on 5/31/00 is amd to read: the conf will be held at 10:00 a.m. instead of 2:00 p.m. by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 05/26/2000)			
05/30/2000	59	MOTION by defendant Lakeside Imports Inc for summary judgment to be heard before Mag Judge Shushan at 9:00 6/21/00 (Ref both cases) (ijg) (Entered: 05/31/2000)			
05/31/2000	<u>60</u>	MINUTE ENTRY(5/31/00): ORDERED that the mtn of C Hunter King for leave to file cmp for intv [51-1] is GRANTED as unopposed by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 06/01/2000)			
05/31/2000	<u>61</u>	MINUTE ENTRY(5/31/00): ORDERED that dft EEOC's motion to reconsider order compelling prod of the open admin case files of Greg Quirk & David Oseng [46-1] is DENIED; the dft's req for fees & costs is DENIED by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 06/01/2000)			
05/31/2000	62	Intervenor's COMPLAINT by intervenor-plaintiff C Hunter King agst intervenor-dfts EEOC, Eddie Boyd, Russell A Solomon, Lakeside Imports, Anthony Gully, Keith Hanks, John Prendel, & Chris Mohrman (Ref both cases) (ijg) (Entered: 06/01/2000)			

06/02/2000	<u>63</u>	60 DAY ORDER OF PARTIAL DISMISSAL: ORDERED that all claims asserted by plas agst all named dfts are dism w/o costs & w/o prej; the claims asserted by EEOC agst Lakeside Imports are unaffected by this order by Magistrate Sally Shushan Date Signed: 6/1/00 (Ref both cases) (ijg) (Entered: 06/02/2000)			
06/06/2000	<u>64</u>	MINUTE ENTRY(6/5/00): The hrg on dft Lakeside Imports Inc's motion for summary judgment [59-1] is CONT W/O DATE by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 06/06/2000)			
06/08/2000	<u>65</u>	MINUTE ENTRY(6/7/00): ORDERED that the mtn of dft Lakeside Imports to dism plas' claims of discrimination under 42:1981, the mtn of dfts Anthony Gullo, Keith Hanks, John Prendel to dism plas' cmp, & the mtn of dft Christop Mohrman for sum jgm & to dism plas' cmp pursuant to Rule 12(b)(6) are DENIED AS MOOT by Magistrate Sally Shushan (documents 4, 5 & 9 in CA 99-3733)(Ref 99-3733) (ijg) (Entered: 06/08/2000)			
06/29/2000	<u>66</u>	MINUTE ENTRY(6/28/00): A phone status conf was held this date; depo sched as set out in doc; parties to file cross-mtns on the issue of EEOC's right to seek punitive damages by 7/12/00; replies due 7/18/00 & the matter will be taken under submission as of 7/19/00; dft Lakeside Imports' motion for summary judgment (the conciliation issue) [59-1] set on 8/2/00 by Magistrate Sally Shushan (Ref 99-2884) (ijg) (Entered: 06/29/2000)			
07/03/2000	<u>67</u>	Motion by defendant Lakeside Imports Inc for exp hrg on its mtn for proto and ORDER DENYING SAME AS MOOT by Magistrate Sally Shushan Date Signed: 7/7/00 (Ref both cases) (ijg) (Entered: 07/07/2000)			
07/07/2000	<u>68</u>	Motion by defendant Lakeside Imports Inc for proto & ORDER DENYING SAME AS MOOT by Mag Sally Shushan (Ref both cases) (ijg) (Entered: 07/07/2000)			
07/07/2000	<u>69</u>	30 DAY ORDER to dismiss case by Magistrate Sally Shushan Date Signed: 7/6/00 ******CLOSED******* (Ref both cases) (ijg) (Entered: 07/07/2000)			
07/12/2000	<u>70</u>	Joint motion by plas Eddie Boyd, Damian Duplessis, Jonathan Jones, Denoid Moran, Darren Morris, Marcus Morris, & dfts Lakeside Imports Inc, Anthony Gullo, Keith Hanks, John Prindle & Chris Mohrman & ORDER that the claims of plas are dism w/prej, each pty to bear its own costs & atty fees by Mag Sally Shushan Date Signed: 7/13/00 (Ref both cases) (ijg) (Entered: 07/14/2000)			
07/14/2000	<u>71</u>	MINUTE ENTRY(7/13/00): ORDERED that dft Lakeside Imports Inc's mtn for sum jgm is DISM AS MOOT by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 07/14/2000)			
08/04/2000	<u>72</u>	MINUTE ENTRY(8/3/00) The deadline in the earlier order of dismissal is ext until the close of business on 8/14/00 by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 08/04/2000)			
08/14/2000	<u>73</u>	,			

08/16/2000	74	CONSENT DECREE: ORDERED that the negotiation, execution & entry of the Consent Decree will fully & finally resolve any & all claims of the Title VII violations brought by the EEOC agst Lakeside Imports Inc; dft shall disburse \$200,00.00 to local charitable organizations as set out in doc; each pty will bear their own atty's fees & costs; the Consent Decree shall remain in effect for a period of 3 years from its date of execution; the parties agree that this case will be dismissed w/prej, subject to the Consent Decree by Magistrate Sally Shushar Date Signed: 8/15/00 (Ref both cases) (ijg) (Entered: 08/16/2000)	
08/18/2000	75	MINUTE ENTRY (8/18/00) Pursuant to the Consent Decree dated 8/14/00 a letter will be sent to intervenors/claimants & the EEOC by Lakeside Imports In & is to be kept confidential as set out in doc by Magistrate Sally Shushan (Ref both cases) (ijg) (Entered: 08/21/2000)	

PACER Service Center Transaction Receipt 05/25/2007 11:13:27							
				PACER Login:	hs0328	Client Code:	eeoc
				Description:	Docket Report	Search Criteria:	2:99-cv-02884-MVL-SS
Billable Pages:	6	Cost:	0.48				