

CJRA-S, CLOSED, JURY

**U.S. District Court
Northern District of Mississippi (Western Division)
CIVIL DOCKET FOR CASE #: 3:05-cv-00122-MPM-SAA**

Equal Employment Opportunity Commission v. Hill Brothers
Construction & Engineering Company, Inc.
Assigned to: Michael P. Mills
Referred to: S. Allan Alexander
Cause: 42:1981 Sex Discrimination

Date Filed: 09/28/2005
Date Terminated: 04/04/2008
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
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 731-2067
Email: charles.guerrier@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Julie Steptoe Lee
EEOC, BIRMINGHAM DISTRICT
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
Email: Julie.Lee@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Maricia Woodham
EEOC, BIRMINGHAM DISTRICT
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 212-2054
Email: maricia.woodham@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mildred Byrd
EEOC, BIRMINGHAM DISTRICT
OFFICE

1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 731-2067
Email: mildred.byrd@eeoc.gov
TERMINATED: 01/04/2007
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Valerie Hicks Powe
ESQUIRE MANAGEMENT TRAINING
AND LEGAL SERVICES
2705 4th Avenue South
Birmingham, AL 35233
205-965-1900
Email: vhicksemt@gmail.com
TERMINATED: 03/17/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

C. Emanuel Smith
EEOC, BIRMINGHAM DISTRICT
OFFICE
1130 - 22nd Street South
Ridge Park Place Suite 2000
Birmingham, AL 35205-2881
(205) 212-2045
Email: emanuel.smith@eeoc.gov
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Scott Beasley

represented by **Kimberly B. Dale**
BRANCH THOMPSON PHILHOURS &
WARMATH, PA
414 West Court Street
Paragould, AR 72450
870-239-9581
Email: kdale@paragouldlawyer.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert F. Thompson, III
BRANCH THOMPSON PHILHOURS &
WARMATH, PA
414 West Court Street
Paragould, AR 72450
870-239-9581
Email: rft3@grnco.net
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

David L. Calder
MISSISSIPPI JUSTICE CENTER
P.O. Box 1790
Oxford, MS 38655
(662) 238-7770
Email: davidcalder@bellsouth.net
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Joel Graves

represented by **Kimberly B. Dale**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert F. Thompson, III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Joel Graves

represented by **Kimberly B. Dale**
(See above for address)
ATTORNEY TO BE NOTICED

Intervenor Defendant

**Hill Brothers Construction and
Engineering Company, Inc.**

represented by **Robert M. Williams, Jr.**
BAKER, DONELSON, BEARMAN &
CALDWELL - Memphis
165 Madison Avenue, Suite 2000
20th Floor First Tennessee Building
Memphis, TN 38103
901-577-2215
Email: rwilliams@bakerdonelson.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

V.

Defendant**Hill Brothers Construction &
Engineering Company, Inc.**represented by **Robert M. Williams, Jr.**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Thomas A. Wicker**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Intervenor****Douglas Smith**represented by **Kimberly B. Dale**
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------------|---|
| 09/28/2005 | <u>1</u> | COMPLAINT against Hill Brothers Construction & Engineering Company, Inc., Jury Demand, , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(kmt, USDC) |
| 09/28/2005 | <u>2</u> | NOTICE OF ASSIGNMENT. Case assigned to Judge Michael Mills and Magistrate Judge Allan Alexander. (kmt, USDC) |
| 10/12/2005 | <u>3</u> | MOTION to Intervene by Scott Beasley. (Attachments: # <u>1</u> Proposed Complaint for Intervention)(nsm, USDC) (Entered: 10/17/2005) |
| 10/12/2005 | <u>4</u> | MOTION to Appear Pro Hac Vice ; Attorney Robert Thompson, III, Receipt # 81971, in amount of \$ 25.00, by Scott Beasley. (nsm, USDC) Modified on 10/18/2005 (nsm, USDC). (Entered: 10/17/2005) |
| 10/12/2005 | <u>5</u> | MOTION to Appear Pro Hac Vice ; Attorney Kimberly Brienne Dale, Receipt # 81971, in amount of \$ 25.00, by Scott Beasley. (nsm, USDC) (Entered: 10/17/2005) |
| 10/31/2005 | <u>6</u> | ORDER granting <u>3</u> Motion to Intervene . Signed by Judge S. Allan Alexander on 10/31/05. (kmt, USDC) |
| 11/02/2005 | <u>7</u> | ORDER denying <u>4</u> Motion to Appear Pro Hac Vice; Attorney Robert Thompson III . Signed by Judge S. Allan Alexander on 11/2/05. (kbt, USDC) |
| 11/02/2005 | <u>8</u> | ORDER denying <u>5</u> Motion to Appear Pro Hac Vice; Attorney Kimberly Brienne Dale . Signed by Judge S. Allan Alexander on 11/2/05. (kbt, USDC) |
| 11/04/2005 | <u>9</u> | Intervenor COMPLAINT, filed by Scott Beasley.(Calder, David) |

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| 11/15/2005 | <u>10</u> | MOTION to Appear Pro Hac Vice <i>RECONSIDERATION</i> ; Attorney Robert Thompson III and Kimberly Brienne Dale, by Scott Beasley. (Attachments: # <u>1</u> Exhibit Certificate_Good_Standing_Thompson# <u>2</u> Exhibit Certificate_Good_Standing_Dale)(Calder, David) |
| 11/16/2005 | <u>11</u> | ORDER granting <u>10</u> Motion to Appear Pro Hac Vice; Attorney Robert Thompson III and Kimberly Brienne Dale . Signed by Judge S. Allan Alexander on 11/16/05. (kmt, USDC) |
| 12/12/2005 | <u>12</u> | NOTICE of Attorney Appearance by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. (tab, USDC) |
| 01/24/2006 | <u>13</u> | ANSWER to Complaint by Hill Brothers Construction & Engineering Company, Inc..(Wicker, Thomas) |
| 01/24/2006 | <u>14</u> | ANSWER to Intervenor Complaint by Hill Brothers Construction & Engineering Company, Inc..(Wicker, Thomas) |
| 01/27/2006 | <u>15</u> | INITIAL ORDER - RULE 16.1 Case Management Conference set for 3/8/2006 10:00 AM in Judge Alexander Chambers before S. Allan Alexander.. Signed by Judge S. Allan Alexander on 1/27/06. (wsm, USDC) |
| 02/22/2006 | <u>16</u> | NOTICE OF SERVICE of Pre-Discovery Disclosure of Core Information by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to All Counsel of Record. (Wicker, Thomas) |
| 02/22/2006 | <u>17</u> | CORPORATE STATEMENT <i>for Hill Brothers Construction & Engineering Company, Inc.</i> . (Wicker, Thomas) |
| 03/08/2006 | <u>18</u> | Minute Entry for proceedings held before Judge S. Allan Alexander : Case Management Conference held on 3/8/2006. (wsm, USDC) |
| 03/08/2006 | <u>19</u> | CASE MANAGEMENT ORDER: Case assigned to standard track. Final Pretrial Conference set for 1/4/2007 01:30 PM in Judge Alexander Chambers before S. Allan Alexander. Discovery due by 9/21/2006. Amendments/Joinder of Parties due by 4/8/2006. Plaintiffs Designation of Experts due by 6/20/2006. Defendants Designation of Experts due by 7/20/2006. Motions due by 10/5/2006.. Signed by Judge S. Allan Alexander on 3/8/06. (wsm, USDC) |
| 03/08/2006 | <u>20</u> | NOTICE of Trial: MVD/Jury Trial set for 2/5/2007 9:40 AM in Oxford Courtroom 1 before Judge Michael P. Mills. (spw, USDC) |
| 03/09/2006 | <u>21</u> | NOTICE of Conference: Final Pretrial Conference set for 1/4/2007 01:30 PM in Judge Alexander Chambers before S. Allan Alexander. (wsm, USDC) |
| 03/14/2006 | <u>22</u> | NOTICE to Take Deposition of Scott Beasley by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. (Wicker, Thomas) |
| 03/22/2006 | <u>23</u> | NOTICE to Take Deposition of Douglas Eric Smith by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. (Wicker, Thomas) |
| 03/22/2006 | <u>24</u> | NOTICE to Take Deposition of Joel Graves by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. (Wicker, Thomas) |

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| 04/26/2006 | <u>25</u> | NOTICE to Take Deposition of Joel Graves by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. (Wicker, Thomas) |
| 06/08/2006 | <u>26</u> | NOTICE OF SERVICE of Supplemental Disclosure of Core Information by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to All Counsel of Record. (Wicker, Thomas) |
| 06/20/2006 | <u>27</u> | MOTION for Extension of Time <i>To Designate an Expert</i> by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 06/21/2006 | | NOTICE OF CORRECTION re <u>27</u> MOTION for Extension of Time <i>To Designate an Expert</i> (Attorney to re-file with all electronic signatures on pleading) (kmt, USDC) |
| 07/12/2006 | <u>28</u> | ORDER granting <u>27</u> Motion for Extension of Time . Signed by Judge S. Allan Alexander on 7/12/06. (kbt, USDC) |
| 07/12/2006 | | Set/Reset Case Management Order Deadlines: Plaintiffs Designation of Experts due by 7/20/2006. Defendants Designation of Experts due by 8/20/2006. (kbt, USDC) |
| 09/18/2006 | <u>29</u> | Joint MOTION to Extend CMO Deadlines by Scott Beasley, Equal Employment Opportunity Commission. (Dale, Kimberly) |
| 09/19/2006 | <u>30</u> | ORDER granting <u>29</u> Motion to Extend CMO Discovery due by 10/20/2006. Motions due by 11/5/2006.. Signed by Judge S. Allan Alexander on 9/19/06. (lmf, USDC) |
| 09/29/2006 | <u>31</u> | NOTICE OF SERVICE of Interrogatories and Requests for Production by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to Scott Beasley. (Wicker, Thomas) |
| 09/29/2006 | <u>32</u> | NOTICE OF SERVICE of Interrogatories and Requests for Production by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to EEOC. (Wicker, Thomas) |
| 09/29/2006 | <u>33</u> | NOTICE OF SERVICE of Notice of Issuance of Subpoena Duces Tecum by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to EEOC and Scott Beasley. (Wicker, Thomas) |
| 10/02/2006 | <u>34</u> | MOTION for Discovery <i>Intervenor's First Set of Interrogatories</i> by Scott Beasley. (Dale, Kimberly) |
| 10/03/2006 | | NOTICE OF CORRECTION Motion for Discovery to be refiled as Notice of Service. (rcm, USDC) |
| 10/03/2006 | <u>35</u> | NOTICE OF SERVICE of Interrogatories by Kimberly B. Dale on behalf of Scott Beasley to Thomas A. Wicker. (Dale, Kimberly) |
| 10/03/2006 | <u>36</u> | NOTICE to Take Deposition of Tina Robertson by Valerie Hicks Powe on behalf of Equal Employment Opportunity Commission (Powe, Valerie) |
| 10/03/2006 | <u>37</u> | NOTICE to Take Deposition of Jane Childs by Valerie Hicks Powe on behalf of Equal Employment Opportunity Commission (Powe, Valerie) |

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| 10/03/2006 | 38 | NOTICE to Take Deposition of Kenneth Hill by Valerie Hicks Powe on behalf of Equal Employment Opportunity Commission (Powe, Valerie) |
| 10/06/2006 | 39 | PROOF OF SERVICE OF SUBPOENA <i>Duces Tecum</i> served on MST Express, Inc. on 9-29-2006 by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 10/11/2006 | 40 | NOTICE OF SERVICE of Supoena <i>Duces Tecum</i> by Kimberly B. Dale on behalf of Scott Beasley to MST Express, Inc.. (Dale, Kimberly) |
| 10/12/2006 | 41 | NOTICE to Take Deposition of Steve Wallace, Clyde Robertson, Gerald Hill by Kimberly B. Dale on behalf of Scott Beasley (Dale, Kimberly) |
| 10/13/2006 | 42 | NOTICE to Take Deposition of Donald Bates by Kimberly B. Dale on behalf of Scott Beasley (Dale, Kimberly) |
| 12/01/2006 | 43 | NOTICE OF SERVICE of Second Supplemental Core Disclosures by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to Plaintiff and Intervenor. (Wicker, Thomas) |
| 12/01/2006 | 44 | NOTICE OF SERVICE of Answers to Interrogatories and Response to Request for Production by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. to Plaintiff and Intervenor. (Wicker, Thomas) |
| 12/04/2006 | 45 | NOTICE OF SERVICE of Supplement to Initial Disclosures by Kimberly B. Dale on behalf of Scott Beasley to Defendant and Intervenor. (Dale, Kimberly) |
| 12/05/2006 | | NOTICE OF CORRECTION re 45 Notice of Service (Attorney to re-file with Notice of Service as document) (kmt, USDC) |
| 12/05/2006 | 46 | NOTICE OF SERVICE of Defendant and Intervenor by Kimberly B. Dale on behalf of Scott Beasley to Supplement to Initial Disclosure. (Dale, Kimberly) |
| 12/06/2006 | | NOTICE OF CORRECTION re 46 Notice of Service (Attorney to re-file with the Notice of Service contents in the pleading; Certificate of Service is the only document in the Notice) (kmt, USDC) |
| 12/06/2006 | 47 | NOTICE OF SERVICE of Supplement to Initial Disclosure by Kimberly B. Dale on behalf of Scott Beasley to Defendant and Intervenor. (Dale, Kimberly) |
| 12/20/2006 | 48 | MOTION in Limine <i>to Exclude any Reference to Beasley's Mental Health Prior to the Allegations Raised by the Claimants and Brief in Support of Motion in Limine</i> by Scott Beasley. (Dale, Kimberly) |
| 12/21/2006 | 49 | MOTION in Limine <i>Preserve Front Pay</i> by Scott Beasley. (Dale, Kimberly) |
| 12/22/2006 | 50 | MOTION in Limine <i>Intervene to Exclude any Reference to Beasley and Greg Witt's Living Arrangements</i> by Scott Beasley. (Dale, Kimberly) |
| 12/22/2006 | 51 | MOTION in Limine <i>to Exclude Evidence of Jury Verdict in Related Case</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 12/27/2006 | 52 | RESPONSE in Opposition re 48 MOTION in Limine <i>to Exclude any Reference to Beasley's Mental Health Prior to the Allegations Raised by the Claimants and Brief in Support of Motion in Limine</i> , 50 MOTION in Limine <i>Intervene to Exclude any Reference to Beasley and Greg Witt's Living Arrangements</i> filed by |

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| | | Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 12/28/2006 | 53 | MOTION to Substitute Attorney by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 12/28/2006 | 54 | RESPONSE to Motion re 51 MOTION in Limine <i>to Exclude Evidence of Jury Verdict in Related Case</i> filed by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 01/04/2007 | 55 | ORDER granting 53 Motion to Substitute Attorney. Added attorney Julie Steptoe Lee for Equal Employment Opportunity Commission. Attorney Mildred Byrd terminated . Signed by Judge S. Allan Alexander on 01/03/07. (kmt, USDC) |
| 01/04/2007 | 56 | Minute Entry for proceedings held before Judge S. Allan Alexander : Final Pretrial Conference held on 1/4/2007. Pretrial Order due by 1/18/2007. (wsm, USDC) |
| 01/22/2007 | 57 | PRETRIAL ORDER, estimated length of trial: 5 days. Signed by Judge Michael P. Mills on 1/22/07. (lpm, USDC) |
| 01/23/2007 | 58 | ORDER granting 48 Motion in Limine, granting 49 Motion in Limine, denying 50 Motion in Limine, granting 51 Motion in Limine . Signed by Judge Michael P. Mills on 1/23/07. (lpm, USDC) |
| 02/05/2007 | | Minute Entry for proceedings held before Judge Michael P. Mills : Voir Dire conducted, jury impaneled. Trial begun on 2/5/2007. Trial to resume 1:30 pm, 2/6/2007. (no document attached) (Court Reporter Sisk.) (spw, USDC) (Entered: 02/06/2007) |
| 02/05/2007 | | Jury Impaneled. (no document attached)(spw, USDC) (Entered: 02/06/2007) |
| 02/06/2007 | | Minute Entry for proceedings held before Judge Michael P. Mills : Jury Trial held on 2/6/2007. Trial to resume 2/7/2007, 9:00 am. (no document attached) (Court Reporter Sisk.) (spw, USDC) (Entered: 02/07/2007) |
| 02/07/2007 | | Minute Entry for proceedings held before Judge Michael P. Mills : Jury Trial held on 2/7/2007. Trial to resume 2/8/2007, 9:30 am. (Court Reporter Sisk.) (spw, USDC) (Entered: 02/08/2007) |
| 02/08/2007 | | Minute Entry for proceedings held before Judge Michael P. Mills : Jury Trial held on 2/8/2007. Trial to resume 2/9/2007, 9:00 am. (no document attached) (Court Reporter Sisk.) (spw, USDC) (Entered: 02/09/2007) |
| 02/09/2007 | 59 | Minute Entry for proceedings held before Judge Michael P. Mills : Jury Trial completed on 2/9/2007. (Court Reporter Sisk.) (spw, USDC) |
| 02/09/2007 | 60 | Witness List. (spw, USDC) |
| 02/09/2007 | 61 | Exhibit List. (exhibits on file in the Oxford Clerk's Office)(spw, USDC) |
| 02/09/2007 | 62 | Jury Instructions. (given)(spw, USDC) |
| 02/09/2007 | 63 | Jury Instruction. (denied) (spw, USDC) |
| 02/09/2007 | 64 | Jury Note. (spw, USDC) |
| 02/09/2007 | 65 | JURY VERDICT. (spw, USDC) |

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| 02/12/2007 | 66 | CLERK'S JUDGMENT in favor of Plaintiffs against Defendant. CASE CLOSED. Signed by Clerk for Judge Michael P. Mills on February 12, 2007. (spw, USDC) |
| 02/16/2007 | | TRIAL EXHIBITS received placed on shelf in Clerk's Office (2 Folders). (tab, USDC) |
| 02/19/2007 | 67 | MOTION to Alter Judgment <i>Pursuant to Rule 59(e)</i> by Scott Beasley. (Calder, David) |
| 02/19/2007 | 68 | MEMORANDUM IN SUPPORT re 67 MOTION to Alter Judgment <i>Pursuant to Rule 59(e)</i> . (Calder, David) |
| 02/19/2007 | 69 | MOTION for Judgment as a Matter of Law <i>on the Issue of Front Pay</i> by Scott Beasley. (Calder, David) |
| 02/19/2007 | 70 | MEMORANDUM IN SUPPORT re 69 MOTION for Judgment as a Matter of Law <i>on the Issue of Front Pay</i> . (Calder, David) |
| 02/20/2007 | 71 | MOTION Additur by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 02/20/2007 | 72 | MEMORANDUM IN SUPPORT re 71 MOTION Additur. (Powe, Valerie) |
| 02/20/2007 | | NOTICE OF CORRECTION re 69 MOTION for Judgment as a Matter of Law <i>on the Issue of Front Pay</i> , 70 Memorandum in Support (Attorney to re-file to correct title of document) (kmt, USDC) |
| 02/20/2007 | 73 | MOTION Plaintiff Scott Beasley's Request for Front Pay by Scott Beasley. (Calder, David) |
| 02/20/2007 | 74 | MEMORANDUM IN SUPPORT re 73 MOTION Plaintiff Scott Beasley's Request for Front Pay. (Calder, David) |
| 02/20/2007 | 75 | MOTION for Attorney Fees by Scott Beasley. (Attachments: # 1 Exhibit A_David Calder Declaration# 2 Exhibit B_Kimberly Dale Declaration# 3 Exhibit C_Robert Thompson Declaration# 4 Exhibit D_Thompson&Dale Itemization of Hours# 5 Exhibit E_David Calder Itemization of Hours# 6 Exhibit F_Bill of Costs# 7 Exhibit G_Affidavit of James Waide# 8 Exhibit H_Affidavit of David O'Donnell# 9 Exhibit I_Declaration of Greg Park# 10 Exhibit J_Declaration of Victor Fleitas)(Calder, David) |
| 02/20/2007 | 76 | MEMORANDUM IN SUPPORT re 75 MOTION for Attorney Fees. (Calder, David) |
| 02/20/2007 | 77 | MOTION for Judgment as a Matter of Law <i>or to Vacate Punitive Damages</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 02/20/2007 | 78 | BRIEF re 77 MOTION for Judgment as a Matter of Law <i>or to Vacate Punitive Damages or for New Trial</i> . (Wicker, Thomas) |
| 02/20/2007 | 79 | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. of <i>Filing of Depositions</i> (Attachments: # 1 Deposition of Jane Childs# 2 Deposition of Donald Bates# 3 Deposition of Benton Elliott# 4 Deposition of Joel Graves# 5 Deposition of Kenneth Hill# 6 Deposition of Tina Robertson# 7 Deposition of Scott Beasley# 8 Deposition of Douglas Smith)(Wicker, Thomas) |

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| 02/20/2007 | <u>80</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. <i>of filing of Deposition Exhibits</i> (Attachments: # <u>1</u> Elliott Exhibits 1 & 2)(Wicker, Thomas) |
| 02/20/2007 | <u>81</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. <i>of filing Deposition Exhibits</i> (Attachments: # <u>1</u> Elliott Exhibit 3 Pages 1-19)(Wicker, Thomas) |
| 02/20/2007 | <u>82</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. re <u>79</u> Notice (Other), Notice (Other) <i>Filing Elliott Exhibit 3, Pgs 20-37</i> (Wicker, Thomas) |
| 02/20/2007 | <u>83</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. re <u>79</u> Notice (Other), Notice (Other) <i>Elliott Exhibits 4-10</i> (Wicker, Thomas) |
| 02/20/2007 | <u>84</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. re <u>79</u> Notice (Other), Notice (Other) <i>Elliott Exhibits 11-17</i> (Wicker, Thomas) |
| 03/01/2007 | <u>85</u> | RESPONSE to Motion re <u>77</u> MOTION for Judgment as a Matter of Law <i>or to Vacate Punitive Damages Brief in Support of Response to Motion for Judgment as a Matter of Law, to Alter the Judgment of for a New Trial</i> filed by Scott Beasley. (Dale, Kimberly) |
| 03/01/2007 | <u>86</u> | MOTION to Strike <u>83</u> Notice (Other), <u>80</u> Notice (Other), <u>84</u> Notice (Other), <u>82</u> Notice (Other), <u>79</u> Notice (Other), Notice (Other), <u>81</u> Notice (Other) <i>Depositions submitted in Support of Rule 59 Motion</i> by Scott Beasley. (Calder, David) |
| 03/01/2007 | <u>87</u> | MEMORANDUM IN SUPPORT re <u>86</u> MOTION to Strike <u>83</u> Notice (Other), <u>80</u> Notice (Other), <u>84</u> Notice (Other), <u>82</u> Notice (Other), <u>79</u> Notice (Other), Notice (Other), <u>81</u> Notice (Other) <i>Depositions submitted in Support of Rule 59 Motion</i> . (Calder, David) |
| 03/02/2007 | <u>88</u> | RESPONSE in Opposition re <u>86</u> MOTION to Strike <u>83</u> Notice (Other), <u>80</u> Notice (Other), <u>84</u> Notice (Other), <u>82</u> Notice (Other), <u>79</u> Notice (Other), Notice (Other), <u>81</u> Notice (Other) <i>Depositions submitted in Support of Rule 59 Motion</i> filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/02/2007 | <u>89</u> | RESPONSE in Opposition re <u>75</u> MOTION for Attorney Fees filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/02/2007 | <u>90</u> | MEMORANDUM IN OPPOSITION re <u>75</u> MOTION for Attorney Fees. (Wicker, Thomas) |
| 03/02/2007 | <u>91</u> | RESPONSE in Opposition re <u>67</u> MOTION to Alter Judgment <i>Pursuant to Rule 59(e)</i> filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/02/2007 | <u>92</u> | MEMORANDUM IN OPPOSITION re <u>67</u> MOTION to Alter Judgment <i>Pursuant to Rule 59(e)</i> . (Wicker, Thomas) |
| 03/02/2007 | <u>93</u> | RESPONSE in Opposition re <u>71</u> MOTION Additur filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |

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| 03/02/2007 | <u>94</u> | MEMORANDUM IN OPPOSITION re <u>71</u> MOTION Additur. (Wicker, Thomas) |
| 03/02/2007 | <u>95</u> | RESPONSE in Opposition re <u>73</u> MOTION Plaintiff' Scott Beasley's Request for Front Pay filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/02/2007 | <u>96</u> | MEMORANDUM IN OPPOSITION re <u>73</u> MOTION Plaintiff' Scott Beasley's Request for Front Pay. (Wicker, Thomas) |
| 03/06/2007 | <u>97</u> | REPLY to Response to Motion re <u>75</u> MOTION for Attorney Fees filed by Scott Beasley. (Calder, David) |
| 03/07/2007 | <u>98</u> | MOTION for Joinder <i>and Adopt Plaintiff EEOC's Motion for Additur</i> by Scott Beasley. (Dale, Kimberly) |
| 03/09/2007 | <u>99</u> | RESPONSE in Opposition re <u>77</u> MOTION for Judgment as a Matter of Law <i>or to Vacate Punitive Damages</i> filed by Equal Employment Opportunity Commission. (Lee, Julie) |
| 03/12/2007 | <u>100</u> | MOTION For Equitable Relief by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 03/12/2007 | <u>101</u> | MOTION Proposed Findings of Fact re <u>100</u> MOTION For Equitable Relief by Equal Employment Opportunity Commission. (Powe, Valerie) |
| 03/13/2007 | | NOTICE OF CORRECTION re <u>101</u> MOTION Proposed Findings of Fact re <u>100</u> MOTION For Equitable Relief (Attorney to e-mail to Judge) (nsm, USDC) |
| 03/14/2007 | <u>102</u> | REPLY to Response to Motion re <u>77</u> MOTION for Judgment as a Matter of Law <i>or to Vacate Punitive Damages or for New Trial</i> filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/15/2007 | <u>103</u> | NOTICE by Thomas A. Wicker on behalf of Hill Brothers Construction & Engineering Company, Inc. re <u>102</u> Reply to Response to Motion <i>Corrected Reply Brief</i> (Attachments: # <u>1</u> Corrected Reply Brief in Support of Motion)(Wicker, Thomas) |
| 03/16/2007 | <u>104</u> | MOTION to Strike <u>103</u> Notice (Other) <i>Defendant's Corrected Reply to Plaintiff's Opposition to Defendant's Motion for Judgment Notwithstanding Verdict, alternatively for Motion for a New Trial or the Amend or Alter the Judgment</i> by Equal Employment Opportunity Commission. (Lee, Julie) |
| 03/21/2007 | <u>105</u> | RESPONSE in Opposition re <u>104</u> MOTION to Strike <u>103</u> Notice (Other) <i>Defendant's Corrected Reply to Plaintiff's Opposition to Defendant's Motion for Judgment Notwithstanding Verdict, alternatively for Motion for a New Trial or the Amend or Alter the Judgment</i> filed by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/28/2007 | <u>106</u> | MOTION for Extension of Time to File Response/Reply as to <u>100</u> MOTION For Equitable Relief by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/28/2007 | <u>107</u> | MOTION for Extension of Time to File Response/Reply <i>to EEOC Proposed Findings of Fact</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |

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| 04/11/2007 | 108 | ORDER granting 106 and 107 Motion for Extension of Time to File Response. The Defendant shall have ten days from the date upon which this court rules upon the post trial motions [67, 71, 77, 98] to respond to the EEOC's motion for equitable relief . Signed by Judge Michael P. Mills on 4/11/07. (lpm, USDC) |
| 09/12/2007 | 109 | ORDER finding as moot 73 Motion for an award of front pay; denying 75 Motion for Attorney Fees. Signed by Judge Michael P. Mills on 9/12/07. (lpm, USDC) |
| 09/12/2007 | 110 | ORDER granting in part and denying in part 67 Motion to Alter Judgment; finding as moot 71 Motion for additur; granting in part and denying in part 77 Motion for Judgment as a Matter of Law; finding as moot 98 Motion for Joinder. Signed by Judge Michael P. Mills on 9/12/07. (lpm, USDC) |
| 09/12/2007 | 111 | MEMORANDUM OPINION re 110 Order on Motion to Alter Judgment, Order on Motion for Miscellaneous Relief, Order on Motion for Judgment as a Matter of Law, Order on Motion for Joinder,,,,. Signed by Judge Michael P. Mills on 9/12/07. (lpm, USDC) |
| 09/12/2007 | 112 | ORDER finding as moot 100 Motion for Equitable Relief. Signed by Judge Michael P. Mills on 9/12/07. (lpm, USDC) |
| 09/24/2007 | 113 | NOTICE of Trial: MVD/Jury Trial set for 5/12/2008 9:40 AM in Oxford Courtroom 1 before Chief Judge Michael P. Mills. (spw, USDC) |
| 10/19/2007 | 114 | Intervenor COMPLAINT <i>for Intervention</i> , filed by Douglas Smith. (Dale, Kimberly) |
| 10/19/2007 | 115 | MOTION to Intervene by Douglas Smith. (Dale, Kimberly) |
| 10/22/2007 | 116 | ORDER finding as moot 86 Motion to Strike ; finding as moot 104 Motion to Strike. Signed by Judge Michael P. Mills on 10/22/07. (lpm, USDC) |
| 10/22/2007 | 117 | ORDER granting 115 Motion to Intervene. Signed by Judge Michael P. Mills on 10/22/07. (lpm, USDC) |
| 10/29/2007 | 118 | Intervenor COMPLAINT <i>in Intervention</i> , filed by Douglas Smith. (Dale, Kimberly) |
| 11/06/2007 | 119 | MOTION to Intervene by Joel Graves. (Attachments: # 1 Exhibit) (Dale, Kimberly) |
| 12/05/2007 | 120 | ORDER granting 119 Motion of Joel Graves to Intervene. Signed by Judge Michael P. Mills on 12/5/07. (lpm, USDC) |
| 01/09/2008 | 121 | Intervenor COMPLAINT <i>for Intervention</i> , filed by Joel Graves. (Dale, Kimberly) |
| 03/04/2008 | 122 | MOTION Schedule Final Pretrial Conference and Establish Pretrial Deadlines re 113 Notice of Trial by Scott Beasley. (Calder, David) |
| 03/04/2008 | 123 | NOTICE by Julie Steptoe Lee on behalf of Equal Employment Opportunity Commission re 122 MOTION Schedule Final Pretrial Conference and Establish Pretrial Deadlines re 113 Notice of Trial (Lee, Julie) |
| 03/04/2008 | 124 | MOTION to Withdraw as Attorney <i>of Record Valerie Hicks Powe</i> by Equal Employment Opportunity Commission. (Lee, Julie) |

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| 03/12/2008 | <u>125</u> | ORDER referring all pretrial matters in this action to the magistrate judge for hearing and determination. Signed by Judge Michael P. Mills on 3/12/2008. (rcm, USDC) |
| 03/13/2008 | <u>126</u> | NOTICE of Conference: Final Pretrial Conference set for 4/10/2008 10:00 AM in Judge Alexander Chambers before S. Allan Alexander. (wsm, USDC) |
| 03/14/2008 | | TRANSCRIPT FILED [5 Vols.] of Jury Trial held 2/5-9/07, Oxford before Chief Judge Michael P. Mills. Court Reporter: Rita Davis Sisk. (tab, USDC) Modified on 3/14/2008 (tab, USDC). |
| 03/17/2008 | <u>127</u> | ORDER granting <u>124</u> Motion to Withdraw as Attorney. Attorney Valerie Hicks Powe terminated. Signed by Judge S. Allan Alexander on 3/14/2008. (rcm) |
| 03/18/2008 | <u>128</u> | NOTICE of Hearing: Mediation Hearing set for 4/4/2008 10:00 AM in Oxford Courtroom 1 before Chief Judge Michael P. Mills. (spw, USDC) |
| 03/19/2008 | <u>129</u> | ANSWER to Intervenor Complaint of <i>Smith</i> by Hill Brothers Construction and Engineering Company, Inc.. (Wicker, Thomas) |
| 03/19/2008 | <u>130</u> | ANSWER to Intervenor Complaint of <i>Graves</i> by Hill Brothers Construction and Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>131</u> | MOTION to Sever and Bifurcate Claims by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>132</u> | MEMORANDUM IN SUPPORT re <u>131</u> MOTION to Sever and Bifurcate Claims. (Wicker, Thomas) |
| 03/27/2008 | <u>133</u> | MOTION to Dismiss Claim of <i>Beasley</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>134</u> | MEMORANDUM IN SUPPORT re <u>133</u> MOTION to Dismiss Claim of <i>Beasley</i> . (Attachments: # <u>1</u> Exhibit) (Wicker, Thomas) |
| 03/27/2008 | <u>135</u> | MOTION in Limine to Exclude Position Statment by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>136</u> | MEMORANDUM IN SUPPORT re <u>135</u> MOTION in Limine to Exclude Position Statment. (Attachments: # <u>1</u> Appendix Table of Contents# <u>2</u> Appendix Plaintiff's Exhibits# <u>3</u> Appendix Defendant's Exhibits# <u>4</u> Appendix Trial Transcript Excerpts) (Wicker, Thomas) |
| 03/27/2008 | <u>137</u> | MOTION to Compel Testimony of Dorothy Crawford by Hill Brothers Construction & Engineering Company, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C) (Wicker, Thomas) |
| 03/27/2008 | <u>138</u> | MOTION in Limine to Exclude Testimony of Peacock, McClendon and McLemore by Hill Brothers Construction & Engineering Company, Inc.. (Attachments: # <u>1</u> Exhibit Peacock Excerpts# <u>2</u> Exhibit McClendon Excerpts# <u>3</u> Exhibit McLemore Excerpts) (Wicker, Thomas) |
| 03/27/2008 | <u>139</u> | MOTION in Limine to Exclude Other Claims by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |

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| 03/27/2008 | <u>140</u> | MOTION in Limine to <i>Exclude Policies and Procedures of Defendant</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>141</u> | MOTION in Limine to <i>Bifurcate Actual and Punitive Damages</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>142</u> | MEMORANDUM IN SUPPORT re <u>141</u> MOTION in Limine to <i>Bifurcate Actual and Punitive Damages</i> . (Attachments: # <u>1</u> Exhibit) (Wicker, Thomas) |
| 03/27/2008 | <u>143</u> | MOTION in Limine to <i>Exclude Questions and Answers Presuming Harassment</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>144</u> | MEMORANDUM IN SUPPORT re <u>143</u> MOTION in Limine to <i>Exclude Questions and Answers Presuming Harassment</i> . (Attachments: # <u>1</u> Exhibit) (Wicker, Thomas) |
| 03/27/2008 | <u>145</u> | MOTION in Limine to <i>Exclude Improper Implications Re Trial Exhibit 14</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>146</u> | MOTION in Limine to <i>Exclude Testimony Regarding Irrelevant Actions of Witt</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>147</u> | MOTION in Limine to <i>Exclude Reference to Conviction of K. Hill</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>148</u> | MOTION in Limine to <i>Exclude Reference to Convictions of G. Witt</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/27/2008 | <u>149</u> | EXHIBIT re <u>147</u> MOTION in Limine to <i>Exclude Reference to Conviction of K. Hill</i> . (Wicker, Thomas) |
| 03/27/2008 | <u>150</u> | MOTION in Limine to <i>Exclude Position Statement (Corrected)</i> by Hill Brothers Construction & Engineering Company, Inc.. (Wicker, Thomas) |
| 03/31/2008 | <u>151</u> | MOTION in Limine <i>TO EXCLUDE TESTIMONY OF EEOC INVESTIGATOR DOROTHY CRAWFORD</i> by Equal Employment Opportunity Commission. (Smith, C.) |
| 03/31/2008 | <u>152</u> | MEMORANDUM IN SUPPORT re <u>151</u> MOTION in Limine <i>TO EXCLUDE TESTIMONY OF EEOC INVESTIGATOR DOROTHY CRAWFORD</i> . (Smith, C.) |
| 03/31/2008 | <u>153</u> | MOTION in Limine <i>TO EXCLUDE EVIDENCE FROM PLAINTIFF-INTERVENORS COMPANY PERSONNEL FILE CONCERNING UNRELATED CONDUCT, DEBTS ISSUES OR LIENS</i> by Equal Employment Opportunity Commission. (Smith, C.) |
| 03/31/2008 | <u>154</u> | MEMORANDUM IN SUPPORT re <u>153</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE FROM PLAINTIFF-INTERVENORS COMPANY PERSONNEL FILE CONCERNING UNRELATED CONDUCT, DEBTS ISSUES OR LIENS</i> . (Smith, C.) |
| 04/01/2008 | <u>155</u> | NOTICE of Attorney Appearance by Maricia Woodham on behalf of Equal Employment Opportunity Commission (Woodham, Maricia) |
| 04/01/2008 | <u>156</u> | MOTION to Appear Pro Hac Vice ; Attorney Robert M. Williams, Jr., by Hill Brothers Construction & Engineering Company, Inc.. (Attachments: # <u>1</u> Exhibit) |

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| | | Certificate of Good Standing# 2 Exhibit Attorney's Certification# 3 Exhibit Application for CM-ECF) (Wicker, Thomas) |
| 04/02/2008 | 157 | ORDER denying 131 Motion to Sever; denying 133 Motion to Dismiss; deferring ruling on 135 Motion in Limine; denying 137 Motion to Compel; denying 138 Motion in Limine; granting 139 Motion in Limine; denying 140 Motion in Limine; granting 141 Motion in Limine; granting 143 Motion in Limine; deferring ruling on 145 Motion in Limine; deferring ruling on 146 Motion in Limine; granting 147 Motion in Limine; denying 148 Motion in Limine; deferring ruling on 150 Motion in Limine; granting 151 Motion in Limine; granting 153 Motion in Limine. Signed by Judge Michael P. Mills on 4/2/08. (lpm, USDC) |
| 04/03/2008 | 158 | ORDER granting 156 Motion to Appear Pro Hac Vice; Attorney Robert M. Williams, Jr. Signed by Judge S. Allan Alexander on 4/2/2008. (rcm) |
| 04/04/2008 | 159 | CONSENT DECREE. CASE CLOSED. Signed by Judge Michael P. Mills on 4/4/08. (lpm, USDC) |
| 04/10/2008 | | Pro Hac Vice Fee Paid by Baker Donelson for Robert M. Williams : \$ 100.00, receipt number 88485 (kmt, USDC) |

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