

CLOSED, Jury Trial, USMJ_Deaver

**U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)
CIVIL DOCKET FOR CASE #: 5:05-cv-00166-BO**

Equal Employment v. United Rental Homes, et al
Assigned to: Judge Terrence W. Boyle
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 03/10/2005
Date Terminated: 08/08/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Kerith Cohen**
Equal Employment Opportunity
Commission
1309 Annapolis Dr.
Raleigh, NC 27608
919-865-4148
Email: kerith.cohen@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynette A. Barnes
EEOC/ Charlotte District Officed
129 West Trade St.
Suite 400
Charlotte, NC 28202-5306
704-344-6878
Fax: 704-344-6780
Email: lynette.barnes@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United Rental Homes, LLC

Defendant

Gerard N. Joiner
doing business as
United Rental Homes, .

Defendant

Candice A. Joiner
doing business as

United Rental Homes, .

Date Filed	#	Docket Text
03/10/2005	<u>1</u>	Complaint filed - Civil Rights: Employment. JURY DEMAND (ai) (Entered: 03/10/2005)
03/10/2005		(ai) (Entered: 03/10/2005)
03/10/2005		Summons(es) issued for Gerard N. Joiner, Candice A. Joiner (ai) (Entered: 03/10/2005)
07/07/2005	<u>2</u>	Motion by Equal Employment to extend time to serve defendants cy to Clerk (iw) (Entered: 07/08/2005)
07/11/2005	<u>3</u>	Order granting [2-1] motion to extend time to serve defendants. Plaintiff has through 9/8/05 to make service. signed by Borch, Clerk. served. (js) (Entered: 07/17/2005)
09/02/2005	<u>4</u>	Second Motion by Equal Employment to extend time to serve defendants cy to Clerk (iw) (Entered: 09/06/2005)
09/09/2005	<u>5</u>	Order granting [4-1] motion to extend time to serve defendants. Plaintiff has through 10/17/05 to serve defendants. signed by Borch, Clerk. served. (js) (Entered: 09/11/2005)
11/22/2005	<u>6</u>	MOTION for Entry of Default by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1: Affidavit of Service# <u>2</u> Exhibit 2: Affidavit of Service# <u>3</u> Exhibit 3: Affidavit# <u>4</u> Exhibit 4: Affidavit# <u>5</u> Exhibit 5: Affidavit of Publication# <u>6</u> Text of Proposed Order proposed order)(Cohen, Kerith) (Entered: 11/22/2005)
12/29/2005	<u>7</u>	ORDER granting <u>6</u> Motion for Entry of Default. Signed by Fred L. Borch, III, Clerk of Court on 12/29/05. Served on all counsel. (Deputy Clerk, BRB) (Entered: 12/29/2005)
02/09/2006	<u>8</u>	MOTION for Default Judgment as to by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit in Support of Mtn for Default Judgment# <u>2</u> Attachments to Affidavit in Support of Mtn. for Default Judgment# <u>3</u> Text of Proposed Order Granting Plaintiff's Motion for Default Judgment and Request for Hearing on Damages)(Cohen, Kerith) (Entered: 02/09/2006)
03/08/2006	<u>9</u>	ORDER re <u>8</u> Motion for Default Judgment. The Clerk of Court sahll schedule and notice a hearing to be conducted at 11:00 a.m. during the Court's March 27, 2006 term of Court in Elizabeth City, North Carolina. This hearing is scheduled to determine the issue of damages in the underlying matter, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Signed by Judge Terrence W. Boyle on 3/8/06. Served on all counsel. (Deputy Clerk, BRB) (Entered: 03/13/2006)
03/22/2006	<u>10</u>	NOTICE of Hearing. Hearing set for 3/27/2006 11:00 AM in Elizabeth City, North Carolina, Second Floor Courtroom before Judge Terrence W. Boyle. Served on all parties.(Deputy Clerk, BRB) (Entered: 03/22/2006)

03/22/2006	<u>11</u>	CORRECTED NOTICE of Hearing. Hearing set for 3/27/2006 11:00 AM in Elizabeth City, North Carolina Second Floor Courtroom before Judge Terrence W. Boyle. The reason for the corrected notice is that the original Notice of Hearing had the incorrect case number.(Deputy Clerk, BRB) (Entered: 03/22/2006)
03/23/2006	<u>12</u>	MOTION to Continue by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order Order granting motion to continue)(Cohen, Kerith) (Entered: 03/23/2006)
03/28/2006	<u>13</u>	ORDER granting <u>12</u> Motion to Continue. This matter has been continued until April 12, 2005 at 2pm in Court 1, Seventh Floor,Terry Sanford Federal Building in Raleigh. Signed by Judge Terrence W. Boyle on 3/26/06. (Deputy Clerk, BRB) (Entered: 03/28/2006)
03/28/2006	<u>14</u>	NOTICE of Hearing: Hearing on damages scheduled for April 12, 2006 at 2:00 pm in Courtroom #1, 7th Floor, Terry Sanford Federal Building, Raleigh, NC. (Deputy Clerk, BRB) (Entered: 03/28/2006)
04/12/2006		Minute Entry for proceedings held before Judge Terrence W. Boyle : Motion Hearing held on 4/12/2006 re <u>8</u> MOTION for Default Judgment as to filed by Equal Employment Opportunity Commission. Kerith Cohen, Attorney for Plaintiff; Plaintiff called Tara Jacobs and Ed Nowlin to testify. Plaintiff's counsel presented to Court an Affidavit by Jamie Taylor, Plaintiff, who lives in California and could not be present at the hearing. Court awards Tara Jacobs \$1,575 in back pay plus \$200 withheld from her last paycheck plus interest. Ms. Jacobs is further awarded \$20,000 in actual compensatory damages and \$30,000 punitive damages. Ms. Taylor is awarded \$1,400 in backpay plus \$100 withheld from her last paycheck plus interest. \$20,000 in actual compensatory damages and \$30,000 punitive damages. (Court Reporter Sharon Kroeger.) (Deputy Clerk, BRB) (Entered: 04/12/2006)
08/08/2006	<u>15</u>	ORDER re <u>8</u> MOTION for Default Judgment as to filed by Equal Employment Opportunity Commission. Tara Jacobs is awarded \$1,575 in back pay, plus \$200 withheld from her last paycheck, plus interest. Ms. Jacobs is further awarded \$20,000 in compensatory damages, and \$30,000 in punitive damages. Jamie Taylor is awarded \$1,400 in back pay, plus \$100 withheld from her last paycheck plus interest. Ms. Taylor is further awarded \$20,000 in compensatory damages, and \$30,000 in punitive damages. The Clerk of Court is DIRECTED to enter default judgment against Defendants United Rental Homes, LL: Gerard Joiner, d/b/a United Rental Homes and Candice A. Joiner d/b/a United Rental Homes. Tara Jacobs is hereby awarded \$51,775 and Jamie Taylor is awarded \$51,500 plus interest on payments owed against the defaulting Defendants. Signed by Judge Terrence W. Boyle on 8/3/06. (Deputy Clerk, BRB) (Entered: 08/08/2006)
08/08/2006	<u>16</u>	DEFAULT JUDGMENT in favor of Plaintiff against United Rental Homes, LLC, Gerard N. Joiner, Candice A. Joiner. IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion is GRANTED. Tara Jacobs is awarded \$1,575 in back pay, plus \$200 withheld from her last paycheck, plus interest. Ms. Jacobs is further awarded \$20,000 in compensatory damages and \$30,000 in punitive damages. Jamie Taylor is awarded \$1,400 in back pay, plus \$100 withheld from her last paycheck, plus interest. Ms. Taylor is further awarded \$20,000 in compensatory damages and \$30,000 in punitive damages. Tara Jacobs is hereby

		awarded \$51,775 and Jamie Taylor is awarded \$51,500, plus interest on payments owed, against the defaulting defendants. Signed by Clerk of Court on 8/8/06. (Deputy Clerk, BRB) (Entered: 08/08/2006)
08/08/2006	17	CERTIFIED COPY OF DEFAULT JUDGMENT (Deputy Clerk - BRB,) (Entered: 09/06/2006)

PACER Service Center**Transaction Receipt**

06/08/2007 11:56:46

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	5:05-cv-00166-BO
Billable Pages:	3	Cost:	0.24